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AITHISG OIFIGEIL

# Meeting of the Parliament (Virtual)

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# Scottish Parliament

Thursday 14 January 2021

*[The Presiding Officer opened the meeting at 13:00]*

## Managing Scotland's Fisheries

**The Presiding Officer (Ken Macintosh):** Good afternoon and welcome to the Scottish Parliament. As you can see, our meeting this afternoon is entirely online. We begin with a statement from the Cabinet Secretary for Rural Economy and Tourism, Fergus Ewing, on managing Scotland's fisheries in the future. The cabinet secretary will take questions following his statement.

13:00

**The Cabinet Secretary for Rural Economy and Tourism (Fergus Ewing):** Presiding Officer, 2020 will be remembered for all the wrong reasons and 24 December 2020 will be remembered as the day that the United Kingdom Government sold out Scottish fishing interests in the most egregious way.

The outcome of the negotiations expose to all and sundry that the promises that were made to fishermen in Scotland, and indeed throughout the UK, have been broken. On 29 December, the Scottish Government published its analysis of the impact of the Brexit trade deal's measures for fishing and seafood. That analysis details stock by stock, fishing area by fishing area, the results in terms of actual fish landed and it shows that there will be major reductions in certain of those, including North Sea white-fish stocks.

Remarkably, the Scottish industry will now have access to fewer fishing opportunities than under the existing common fisheries policy arrangements, even at the end of the five-and-a-half-year adjustment period. The UK Government negotiated away existing quota share for white-fish stocks, which are among the most important to our fishing industry, including onshore interests, with more than 90 per cent of what is caught being landed at harbours and fish markets in Scotland and then processed here for sale.

To compound those shortfalls, full access to our waters has been granted to the European Union, leaving little if any negotiating capital in forthcoming negotiations where we would seek to redress those shortfalls.

The Tories promised Scotland's fishermen "a sea of opportunity", but instead they have effectively made our "seas gang dry". As Elspeth

Macdonald, chief executive of the Scottish Fishermen's Federation, put it, the UK is now

"a coastal state with one hand tied behind our back".

Those broken promises leave our fishermen woefully short of their expectations and their sense of betrayal is evident in their responses. Mike Park said that the members of the Scottish White Fish Producers Association were

"deeply aggrieved at the very challenging situation they now face for 2021."

John Anderson, chief executive of the Scottish Fishermen's Organisation described it as

"capitulation on a monumental scale".

Of course, it is not the Tories who have to play the appalling hand they have dealt here—that is left to us; we have to pick ourselves up and work out how best to manage the situation. I have already met key industry leaders to discuss how we will work together to mitigate the shortfall in available quota and deliver the best possible management structures in our waters.

We face a bleak future, but the one bright spot is the fact that we have secured direct involvement for Scottish officials in the annual negotiations. My officials are working flat out to identify new and creative ways to plug the many quota shortfalls we now find ourselves with. We will apply our expertise and knowledge and do our best to prevent the UK Government from trading away any of our interests to protect its own. Our priority will be to redress the balance of Scottish waters and stocks being used as negotiating currency without delivering tangible benefits to the Scottish fishing industry.

Let me lay down this warning: we have long experience of the UK Government trading away Scottish interests in order to secure its own in annual negotiations. Any attempt by the UK Government to correct its own failings through the upcoming bilateral negotiations at Scotland's expense will be resisted utterly and publicised relentlessly.

This week's total allowable catch setting negotiations on the jointly managed stocks with the EU and Norway began on Tuesday, and I expect that negotiations with Norway and the EU on bilateral arrangements will soon follow. Although not yet concluded, discussions with the Faroes on a bilateral arrangement are already under way.

We will promote and support action that helps to recover stocks by introducing appropriate management measures, reducing discarding and addressing choke species.

We will fight for what is fair and deliver, in partnership with the industry, a progressive yet

practical catching policy as part of our strategy on the future management of Scotland's fisheries. The strategy that I published on 17 December sets a course to deliver our vision for Scotland to be a world-class fishing nation. That vision is centred on the key themes of transparency, accountability, resilience, responsibility and, of course, sustainability. I am clear that we will work with all stakeholders to deliver the 12-point action plan in that strategy.

Crucially, I and this Government will do all we can to defend our devolved fisheries powers. That includes pressing for Scotland to get its fair share of future funding for fisheries and marine. We believe that our share should be £62 million, but the UK offer is a paltry £14 million, much of which would go on other functions, such as compliance. The same applies to the new £100 million fund; Scotland's share is £60 million and we need it devolved in full, right now, to determine how best to meet our needs and interests.

However, one overriding, immediate pressure must be addressed. Members are aware of the terrible impact that the new rules for exporting seafood are having, not just on export businesses but on fish markets and the catch industry. Yesterday, I wrote to George Eustice to demand that the UK Government delivers on its promise to pay all the costs of Brexit and provide compensation to help all those businesses. Those jobs and livelihoods might not matter to the Tories, but they matter to Scotland.

I understand that the Prime Minister indicated that compensation would be forthcoming; that needs to happen and it needs to happen now. I extracted that concession after rattling the cages of Whitehall in representing Scotland at a meeting there yesterday. We need more urgency and effort from the UK Government to resolve the system problems that are stopping and delaying exports.

Papers revealed that, on the way into the EU, Edward Heath's Tory Government considered Scotland's fishing interests as "expendable". On the way out, the Tories have made them expendable again. They have delivered a shocking deal for our catching industry that offers no succour in any part. They ignored our and the food and drink sector's warnings about the impact of customs barriers and calls for a six-month grace period. Thirteen days into Brexit, they are yet to lift a finger to help our businesses, and they are failing to match even the funding envelope that we got under European maritime and fisheries funding.

Brexit is a boorach and its pathways are littered with broken Tory promises, but this Government will do better; we do not overpromise and underdeliver. All we can do is offer our coastal communities and everybody who works in

Scotland's fishing industry—offshore, inshore and onshore—the commitment that we will not stop trying and that, using our skills and expertise, we will try to get the best possible outcome from the annual negotiations. We will try our hardest to get the UK Government to do right by those communities and people and fix some of the mess that it has created, and we will work to ensure that it compensates them for their Brexit losses. By working with them to deliver our strategy and action plan, we will also try to build a brighter future than the one that the UK Government has delivered for our fisheries.

When I became Cabinet Secretary for Rural Economy and Tourism, I promised to champion and fight for the interests of Scottish fishing, and this Government and I will continue to do that.

**Jamie Halcro Johnston (Highlands and Islands) (Con):** I thank the cabinet secretary for advance sight of his statement. Despite his claims that he and his Government will do all that they can to defend the devolved fisheries powers, the simple truth is that he and the Scottish National Party would hand those powers back to Brussels and have Scotland's fishermen back in the common fisheries policy just as soon as they could.

It is clear that the sector has faced considerable problems in recent days, compounding some of the border issues related to the coronavirus from before Christmas, with a number of boats opting to stay in port because of uncertainty as to whether their catch could be exported in time. There have been a range of issues, and customs declarations and information technology issues have played a part.

I turn to an area that is within the Scottish Government's competence. We have heard about delays in granting export certificates at the Larkhall seafood hub. On 19 August, the cabinet secretary said the Government would be

"as prepared as we can be for the end of the transition period."—[*Official Report, Rural Economy and Connectivity Committee*, 19 August 2020; c 2.]

Does he now admit that that was not the case and that the Scottish Government was not as prepared as it should have been? I hope that he will give a personal commitment to work with Food Standards Scotland to address the problems. Will he commit to a date by which his officials will iron out those problems?

It is increasingly apparent that short-term support for businesses that have been impacted by losses will be vital. Will the cabinet secretary put aside party politics, recognise the need for support—backed by both Governments—and work with his counterparts in the UK Government to

ensure that that essential support gets to our fishing industry as quickly as possible?

**Fergus Ewing:** First, it would be churlish of me not to welcome Mr Halcro Johnston to his new responsibilities.

We have already been working with all parties, including Food Standards Scotland, around the clock to do our best to ameliorate the problems that have arisen. Scotland Food & Drink and others representing all the major sectors of the industry sought a grace period of six months in which any teething problems could be ironed out and the new, untried and untested systems—involving an extra 150,000 environmental health certificates every year—could be worked through and difficulties sorted out. That request did not even get a response when it was made on 4 November by Scotland Food & Drink to the Prime Minister. In a subsequent meeting with junior ministers, the request was dismissed out of hand.

As far as the Tories are concerned, I notice that Mr Halcro Johnston does not say whether he thinks that the deal is a good one and whether it offers “unparalleled” opportunities—the term used by the Prime Minister just yesterday—or whether he agrees with the fishing representatives that it is a betrayal and a dreadful deal that has utterly broken the promises made to the Scottish fishing industry.

I have been working with the UK Government for the past five years. I have suggested a grace period and various other things. The UK Government has rejected all those suggestions. The situation in which we now find ourselves is entirely a result of Brexit and the lack of preparation by the UK Government for the bureaucratic system in which the seafood sector now finds itself enmeshed.

**Colin Smyth (South Scotland) (Lab):** I, too, thank the cabinet secretary for advance sight of his statement.

The fact that the Brexit trade deal is neither what Scotland’s fishing sector needed nor what it was promised will not surprise anyone. The devastating delays that the sector is facing were entirely predictable. There is anger and frustration from our fishers, who have been badly let down. However, they do not want to be used as a constitutional football by two Governments—they want solutions now.

In addition to raising concerns—rightly—with the UK Government about the need for compensation and to tackle the bureaucratic burden currently crippling the sector, will the cabinet secretary tell us what specific additional resources the Scottish Government is bringing to the table to speed up the checks for which Scottish Government agencies have responsibility? Will there be

additional financial support for the sector from the Scottish Government, to get it through these difficult months?

**Fergus Ewing:** On Mr Smyth’s final question, I believe that the Prime Minister has promised to provide compensation. That compensation must be paid very quickly.

This morning, I spoke to a business that said that, if the problems that there have been in the past two weeks are repeated, it might not be in business next week. That story could be repeated many times. Fishing vessels are now landing their catch in Denmark in order to avoid the bureaucratic system. Prices in the cod fish sector have collapsed by 50 per cent or more, trade deals have been lost and customers have gone elsewhere. That is a truly dreadful situation.

I have been in regular contact with the UK Government through attendance at the EU exit operations—XO—committee meetings, which are chaired by Michael Gove. We have prepared extensively in every respect that we could, and in all ways that were required, in order to ensure that, in so far as it is within our power, the new system is capable of operating. In that respect, we set up three hubs, including one with DFDS, to streamline the system. We have ensured that environmental health officers are available, but it would not matter if there were another 1,000 certifying officers—that is not the problem.

The problem is the untried and untested system, which the UK Government said at the meeting that I was at yesterday is only now being tested. The paperwork and the IT systems are incompatible with each other, the customs documentation is defective, Her Majesty’s Revenue and Customs does not recognise that particular types of fishing stock exist, and there has been a complete failure to establish a good rapport, relationship and working operation with the French authorities. In all respects, it lies with the UK Government to sort out the Brexit boorach that it has created, and to do so without any further delay.

**Stewart Stevenson (Banffshire and Buchan Coast) (SNP):** This morning, as has been the case for many days, Peterhead market, which is Europe’s biggest white-fish market, was eerily quiet. On the radio this morning, David Duguid—a minister at the Scotland Office—was attacked by a representative of the industry and called a liar, which he rejected, as we might expect. I also gather that, on Christmas eve, Victoria Prentis spent time preparing for Christmas rather than reading the agreement to which she was party. My question is about the next time that the cabinet secretary meets representatives of the UK Government. Does he expect Victoria Prentis or David Duguid to remain in office for long? The industry is clear that it is time for them to go.

**The Presiding Officer:** I am not entirely convinced that UK Government ministers are the cabinet secretary's responsibility. I ask for a brief answer.

**Fergus Ewing:** They are not my responsibility. The important thing is that we work to sort out the problems as best we can. I have been doing my best to do that. Later this afternoon, I will attend another meeting with Mr Gove to that end.

Mr Stevenson referred to the deal that has been done, which has resulted in the loss of the Hague preference and in extra quota of paper fish only—in other words, extra quota that will never be of any practical benefit. The Scottish industry has lost the option of buying or swapping extra quota. We have lost the negotiating leverage that we had, because European Union vessels have automatic access to our grounds. In five years' time, we also face a retaliatory clause because, if the EU does not get what it wants, it can start imposing tariffs on aquaculture and other sectors. This is a rotten deal.

To answer Mr Stevenson's question, I think that fishermen expect a bit of honesty and for just one Tory parliamentarian to acknowledge that this is a bad deal. I have not seen any sign that any Tory parliamentarian, whether at Holyrood or at Westminster, has the guts to be honest with the Scottish fishermen whom they have betrayed.

**Finlay Carson (Galloway and West Dumfries) (Con):** I am disappointed, but not surprised, that the cabinet secretary has taken up parliamentary time with one of his infamous rages, rather than coming up with solutions to what should be short-term issues. He is famous for overpromising and underdelivering on the reaching 100 per cent programme, for which he failed to resign.

The cabinet secretary's statement has little to do with future fisheries management, and it does not offer any immediate support for the fishing industry, including the hugely important scallop industry in my Galloway and West Dumfries constituency.

Across the chamber, we all want to support the fishing and fish processing industries in Scotland at this challenging time. Given that Food Standards Scotland is the responsible body and comes under the auspices of the Scottish Government, will the cabinet secretary outline what action he has taken during the past 48 hours to address the issues at Larkhall seafood hub with regards to the granting of export health certificates, which goods entering the EU now require?

**Fergus Ewing:** The allegation about R100 is nonsense; the R100 commitments will be fulfilled by the Scottish Government, as Paul Wheelhouse

made clear in the statement that he gave last August.

I will answer the relevant questions that were posed—or those that were at least on topic. I have spoken to Food Standards Scotland several times during the past few weeks, and its staff are working around the clock with DFDS and the industry. At my behest, FSS is working closely with the industry and particular businesses within it to enable them to complete what are extremely complex sets of documents.

I have one of those documents here. It is 60 pages long. I went through it this morning so that I could understand what businesses have to do. FSS is helping businesses to work out how correctly to complete the documentation given the complexity of the process. However, even if businesses overcome that hurdle, they find other problems—for example, HMRC does not recognise particular types of fish and the IT systems are incompatible.

There are all sorts of bureaucratic problems at the UK border. Therefore, the suggestion that the Scottish Government has failed to prepare or provide adequate personnel is simply untrue, and it is not one that I have seen any UK minister seriously advance.

The fact is that these problems must be sorted out. Yesterday, I suggested to Michael Gove that he really must get a grip of the issue and the UK Government must end its complacent approach, which included a presentation to one of its committees in which the majority of deliveries across the channel were said to be "going okay". Well, they are not "going okay" from Scotland. It is absolutely essential that the UK Government sorts out the Brexit mess that it has created.

**Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP):** New regulatory delays are having an impact on the fishing industry in my constituency. I understand that hauliers are now having to leave a day early to make connections on time, that in many cases produce has had to be left behind, and that some vessels have simply been told to stop fishing.

The total financial cost of all that to coastal communities is yet to be known. However, does the cabinet secretary agree that, although fisherman have justified grievances with the common fisheries policy, in this Brexit red tape, the Tories have delivered medicine that is truly worse than the disease?

**Fergus Ewing:** Yes, I do. It gives me absolutely no pleasure to say so, but we warned the UK Government about the risk of the new bureaucratic system, including the estimated 150,000 new certificates that would be required in combination with other necessary documentation—which is all

entirely new and is all only necessary because of Brexit.

I could not put the issue better than James Withers of Scotland Food & Drink, who described businesses as

“being strangled by the very red tape that we were promised we were escaping.”

That, sadly, is where we are at the moment. The short-term priority is to sort out those problems PDQ. If we do not, as we have heard from numerous businesses already—let us not forget the shellfish businesses and aquaculture businesses, as well as the caught sector—they will find that they cannot sell their produce and are losing money hand over fist. They urgently require these problems to be sorted out, and they are also entitled to compensation from the UK Government.

**The Presiding Officer:** We have seven more potential questioners and about seven minutes left, so can we please have succinct questions and answers?

**Claudia Beamish (South Scotland) (Lab):** The 2015 inshore fisheries strategy has been a failure in the main, and a leaked NatureScot report shows that most regions have suffered declines during the past 10 years. What is the cabinet secretary doing to correct the years of delay in designating marine protected areas and priority marine features and the development of management arrangement, and to address the proper monitoring of those sites?

**Fergus Ewing:** That is primarily the responsibility of my friend and colleague Roseanna Cunningham. For my part, we are beginning to implement remote electronic monitoring equipment. It is designed to improve sustainable fisheries and will be a tremendous advantage to fisheries, particularly those on the west coast, once it is implemented.

**Rona Mackay (Strathkelvin and Bearsden) (SNP):** The UK Government claims that we will be able to make up the shortfall in fishing opportunities when the agreement ends, in five and a half years' time. Is that correct?

**Fergus Ewing:** It is not. The retaliatory clause in the agreement means that the EU can impose tariffs if it does not get what it wants in a fisheries deal at that end of that five-year period. It would be able to apply immediate sanctions to aquaculture, a sector that is entirely separate from the caught sector.

The fact that such a clause, linking tariffs and trade to fisheries, was included in the deal is a clear breach of numerous promises that were made by innumerable Conservative members and ministers. More importantly, it is deeply damaging

to the future long-term prospects of Scotland's fisheries.

**Beatrice Wishart (Shetland Islands) (LD):** Like the rest of the fishing industry, the Shetland fleet is bitterly disappointed by the content of the fisheries agreement.

Can the minister assure the fishing industry that it will be fully involved in designing a workable catch policy to replace the CFP landing obligations and that policy papers such as “A New Approach to Discards in Scotland”, which was published by the Shetland Fishermen's Association in April 2019, and other proposals derived from the reality of operations at sea will be treated seriously?

**Fergus Ewing:** Ms Wishart makes a series of fair points, and I give an undertaking that we will do that.

**Emma Harper (South Scotland) (SNP):** This morning, I spoke to West Coast Sea Products in Kirkcudbright, which is a major scallop exporter and employer that now has to register to pay VAT in France as a result of Brexit. That company has lost thousands of pounds because the UK Government failed to ensure that a workable system was in place before 1 January. Will the cabinet secretary outline whether the UK Government has indicated how it will fix the mountain of mayhem that it has caused and whether the Scottish Government is able to put in place any mitigating measures to protect Scottish inshore exporters?

**Fergus Ewing:** The inshore and shellfish sectors are important to many Scottish communities, including those that are represented by Emma Harper. We are doing all that we can to support them. The inshore sector was one of the first sectors in the UK to receive Covid compensation support, thanks to the diligence and efficiency of Marine Scotland.

The six-month grace period that I alluded to would have allowed those teething problems to be resolved practically, but that idea was rejected out of hand. I believe that a derogation, which is something that many in the industry are calling for, is the only way to resolve those problems immediately. It is incumbent on the UK Government to urgently consider seeking such a derogation, which would allow the difficulties that Emma Harper has described to be resolved.

**Mark Ruskell (Mid Scotland and Fife) (Green):** The cabinet secretary has highlighted the importance of the creeling sector. Last week, the Court of Session ruled that the Scottish Government had unfairly rejected proposals from the Scottish Creel Fishermen's Federation for a sustainable fisheries pilot in the sound of Skye. Will the cabinet secretary commit to reconsidering the SCFF's proposal?

**Fergus Ewing:** We must carefully consider the judgment that was made last week. It would not be appropriate for me to comment on a live legal process.

We work closely with the majority of bodies that represent inshore fishing interests around our coasts. We have excellent relationships with almost all of them, and we have proceeded with pilots in accordance with the working arrangements that we have with them. I believe that we have achieved a great deal through working with those who represent our fishermen along the west coast and in the islands, and we will continue to work in collaboration and co-ordination with them, as our discussion paper undertakes.

**Maureen Watt (Aberdeen South and North Kincardine) (SNP):** The cabinet secretary will recall that, a few months ago, Michael Gove specifically reassured Scottish fresh produce exporters that—*[Inaudible.]*—would get priority access. Given that they cannot even get out of Scotland now because of UK IT problems, was that not just another example of empty bluster on behalf of the Brexiteer Johnson Government, which is hell-bent on destroying Scotland's food and drink exports?

**Fergus Ewing:** The promise of providing prioritisation and a fast track has not been implemented, and that is a matter of some sadness. I refer to my earlier answers that I personally want to see the present problems overcome rapidly. If they are not, the commercial damage—the loss and injury to businesses and people—will be on a simply enormous scale. However, those difficulties are unlikely to be resolved in a short period unless some grace period or derogation is granted. I very much hope that we can jolt the UK Government out of its complacent attitude and get it to take the issue as seriously as it and Scotland's fishing communities deserve.

**John Scott (Ayr) (Con):** *[Inaudible.]*—interest as a—*[Inaudible.]*—Fishermen's Association. What is being done to protect and help the prawn fisheries in the Clyde at this awkward time?

**Fergus Ewing:** It is a fair question. The prawn sector has faced extreme difficulties, as I am sure Mr Scott is well aware. Therefore, I have set up a task force under Uel Morton to consider what we can do in practice to assist that sector, which even before Brexit was having considerable difficulties in marketing its produce. We have provided financial support, as I alluded earlier, but I fear that that, in itself, that will not be sufficient. Therefore, I am ready and willing to work with Mr Scott and MSPs from all parties who represent the prawn fleet on the west coast of Scotland and elsewhere, to the best of my ability, to find practical ways in

which we can tide it through the period of trading difficulties and other problems that it has had to endure.

**The Presiding Officer:** I apologise to Peter Chapman, whom I meant to call earlier. He has the last question.

**Peter Chapman (North East Scotland) (Con):** Thank you, Presiding Officer. In his statement, the cabinet secretary made much of helping the industry to make the fishing agreement as good as possible for our fishermen. One of the most important things that needs to be reinstated is the seamless exchange of international quota between the UK and other EU nations. Can I have the cabinet secretary's assurance that he and his officials will start work immediately to put that vital aspect of legislation back in place?

**Fergus Ewing:** If Mr Chapman is referring to the ability to do quota swaps, that is an ability that the industry has lost as a result of the trade agreement. There is still the possibility that coastal states can agree arrangements at Government level, but that is a poor substitute for the arrangements under which industry makes its own deals on a regular—indeed, day-to-day—basis. My officials tell me that there were around 140 such deals last year. The new system is far more bureaucratic, untried, untested and unfamiliar, and it does not offer the flexibility and opportunity that producer organisations have enjoyed to ensure that fishermen are able to continue to fish in Scotland because they have sufficient quota thereto. That is one of the most problematic provisions of the trade agreement to which the Prime Minister agreed.

**The Presiding Officer:** Thank you, cabinet secretary and members. Thanks to your co-operation, we managed to squeeze in all the questions.

## Portfolio Question Time

### Social Security and Older People

13:34

**The Presiding Officer (Ken Macintosh):** We move on to portfolio questions. Our first portfolio brief this afternoon is social security and older people. I remind members that I have grouped questions 1 and 4 together. We will hear the first question and supplementary, then other supplementaries will come after question 4.

#### Older People (Access to Essential Requirements)

**1. Tom Mason (North East Scotland) (Con):** To ask the Scottish Government what plans it has to help older people to access essential requirements including food, medical attention and prescriptions, under the current Covid-19 restrictions. (S5O-04897)

**The Minister for Older People and Equalities (Christina McKelvie):** We have made available £15 million of funding for local authorities that are already at protection level 4 in order to strengthen their local response, and to support the needs of people in their communities who do not have support networks and are struggling with the restrictions or guidance—particularly those who are most at risk through health or social inequalities. That could include people who are at higher clinical risk, older people and disabled people who encounter barriers that emerge—for example, in accessing food and other essential items, as Tom Mason suggests.

As before, we can all help by looking out for others. Some people will continue to rely on family, friends and neighbours for help with getting food and other essentials. Anyone who needs additional advice, information, support or help can call the free national assistance helpline on 0800 111 4000, which is available from Monday to Friday from 9 am to 5 pm. The helpline continues to provide a freephone connection to local authorities, which can provide additional support including access to food, pharmacy services, social services, emotional support, and third sector services and even volunteers. Advice on how to get help for those who need it and advice for people who want to help others safely in their community is available at [ready.scot](http://ready.scot).

**Tom Mason:** Back in March last year, over-75s were asked to shield for four weeks, which quickly became eight weeks, then 12, then until the summer, then until Christmas, and now well into the spring. Those who are living alone will face isolation and loneliness as face-to-face contact is

again reduced. Understandably, many older folk are now near their wits' end. Age Scotland is warning that another lockdown will be extremely difficult for older people to endure, and that a winter action plan will be needed to ensure that they can access the food, medicines and treatments that are needed in order to get through the latest measures.

Will the minister commit to delivering those provisions in a winter plan for our older people, as they face the challenges that the restrictions will bring in the weeks ahead?

**Christina McKelvie:** I have seen the Age Scotland report that Tom Mason has referenced, which includes all the challenges to which he referred. Age Scotland is one of our key partners on the national implementation group on social isolation and loneliness, and members will not be surprised to hear that we have been working closely together.

As well as the national helpline, to which I referred in my response to the initial question, we also have a national helpline that is run by Age Scotland and has been funded by the Scottish Government to the tune of almost £1 million.

We are working closely with the national implementation group, as I said. We are also working closely with members of our older people's strategic action forum, who regularly come to us with intelligence, issues and challenges, and with very good ideas about what is happening on the ground.

We are working across those sectors in a number of areas, including access to food, pharmacy services and volunteers—the whole thing—in order to support older people in lockdown. We know that the restrictions have been absolutely terrible for older people, especially older people who do not have a support network around them. That is why they have the national helpline, and it is why we are working so closely with Age Scotland. I will be keen to update Tom Mason on any other aspects of that, if he wants to get back to me.

We have in place a winter plan, which we announced just before Christmas and is funded to the tune of £100 million. A huge proportion of that is to support older people so that they can remain connected, and to ensure that those connections are sustainable in the future. I look forward to speaking to Tom Mason, perhaps, about some of the details of that.

#### Older People (Lockdown Restrictions)

**4. Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP):** To ask the Scottish Government what support it will provide to

assist older people in coping with the January Covid-19 lockdown restrictions. (S5O-04900)

**The Minister for Older People and Equalities (Christina McKelvie):** My answer to that question feeds nicely into my answers to Tom Mason's questions.

We realise that this winter will be particularly difficult for older people. As we know, lockdown restrictions are necessary, but they are also very hard. As I outlined in my previous answers, we have put in place a range of support to help people to manage those aspects of the situation.

As I also said, I will continue to work alongside our older people's strategic action forum, which is absolutely determined to come up with ideas that will best meet older people's needs, and is working closely with people who are affected. I am pleased to say that funding of more than £1.3 million has been provided to allow the forum to react, reach out and support its networks.

We will continue to update and publish guidance on the support that is available to help people to overcome challenges in accessing and affording food and other essentials. I strongly encourage individuals who cannot get help from others to call the national helpline that I mentioned earlier, which is a key point of contact that I hope all members will share with their local networks.

**Christine Grahame:** This dreadful virus has made it necessary for elderly people to access the internet for essentials and—which is perhaps more important—for human contact. I commend the work of Outside the Box. It provides elderly people in my constituency with tablets and 24 gigabyte pay-as-you-go data SIM cards, which gives them access to the internet, together with individualised support through the digital buddies project, which I believe the minister will visit next week.

Does the minister agree that that project should be replicated across Scotland? Now that I have heard the chink of money—by which I mean the £1.3 million that the minister mentioned—I ask her to say whether any would be available to roll out the project elsewhere in Scotland.

**Christina McKelvie:** I am delighted to confirm that I am meeting representatives of Outside the Box and the digital buddies project on 19 January, which I look forward to.

Christine Grahame's question touched on the work that we do through the connecting Scotland programme. The digital buddies in her constituency are not the only ones to do such work—a lot is being done elsewhere. For example, Anne and Christine from Outside the Box have ensured that their group of older people have embraced getting online, which can sometimes be a bit scary. The digital buddies project has allowed

practical support to be delivered despite the restrictions on meeting people.

If you do not mind, Presiding Officer, I would like to read a couple of quotations from people who have taken part in the project. People have said:

"It's been amazing, I haven't been able to see my grandsons much for the last 9 months, now we video call every week, I just love it."

"I hadn't been able to go to the community council meetings since lockdown started, it was great to be able to take part again."

"My sister lives in America, with help from my digital buddy we had a video call ... It was the first time I had seen her in 10 years. It was brilliant and very emotional."

I do not think that any of us could say that those comments are not evidence of transformational change. My thanks go to Outside the Box, which I look forward to visiting next week.

As Christine Grahame knows, members of the older people's strategic action forum will certainly keep me on my toes, too. I look forward to continuing our work in the area.

**Shona Robison (Dundee City East) (SNP):** Since the start of the pandemic, the Scottish Government has invested £350 million to help communities through the current public health crisis, which has allowed charities including the Food Train to help older people to access food. How many older people have been supported by the Food Train?

**Christina McKelvie:** The Food Train is a smashing organisation. In the past, the Scottish Government has worked with it to tackle malnutrition in older people and to ensure that they are well nourished. Since the onset of the pandemic, it has been provided with £314,000 to support older people through provision of meals and shopping services. It runs a number of programmes that have supported, on average, 3,500 older people a month, which will be the number that Shona Robison is looking for. That is a great testament to the work that it does.

**The Presiding Officer:** Thank you very much, colleagues. We might have to have slightly more succinct contributions, if we are to get through all the questions.

### Older People (Impact of Covid-19)

2. **James Kelly (Glasgow) (Lab):** To ask the Scottish Government what action it is taking to protect older people in Glasgow from the impact of Covid-19. (S5O-04898)

**The Minister for Older People and Equalities (Christina McKelvie):** Our focus throughout has been to protect people across Scotland, including people in Glasgow, in James Kelly's region.

We have a wide range of advice, information and resources available through our Ready Scotland website on how people can stay safe, get help and give help to others during the coronavirus pandemic, and we have provided mental health advice through our Clear Your Head campaign, as well as specific advice on keeping people safe via the FACTS campaign.

People who require to self-isolate have access to information and support via the national helpline, which is connected to local authorities, and wider funding of £350 million has been provided to support work directly in communities.

Vaccinations—which bring us all a bit of hope—are now being rolled out for residents in care homes, older adults and their carers; people over the age of 80 and front-line health and social care workers remain a top priority.

**James Kelly:** I am very concerned about the loneliness situation among pensioners in Glasgow. Many pensioners are cut off from their families and are unable to leave their homes, and they do not have access to their normal support networks, such as local pensioners clubs. For some pensioners, that has resulted in a desperate situation, where they are suffering from not only loneliness but depression.

What action has been taken to identify older people who are potentially in that vulnerable situation and what action has been taken to follow up on that?

**Christina McKelvie:** That is an important question. We know about all the groups and the organisations that we are involved in, but we need to make contact with people who may not be involved in those groups and organisations. That is why a lot of our media campaigns and the work that we do are around ensuring that people get the right information and the support that they need.

We need everybody to pass on that information about support. If James Kelly has particular constituents who need that information, we would be happy to provide that. Loneliness is an incredibly serious issue.

We have funded the older people's strategic action forum to go online and to be digital, to make and sustain those connections and carry people through the pandemic. Many aspects of the work that the forum has been doing help to make those connections and identify those people.

The most important aspect is to identify the people who need that support, especially if they do not have support structures. Many of the groups are doing just that. I get intelligence almost weekly about the people whom they are now contacting and the areas that we may need to focus on.

We are always moving and we are always refining and updating the work that we are doing. However, if there is anything specific in Mr Kelly's constituency that he thinks we should be focusing on, I would be happy to hear about it, because we all have a responsibility to make sure that we work together on the issue.

### **Older People (Support while Shielding)**

**3. Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con):** To ask the Scottish Government what action it is taking to ensure that older people who are shielding receive appropriate support. (S5O-04899)

**The Minister for Older People and Equalities (Christina McKelvie):** We have made a £15 million flexible fund available to local authorities that are at protection level 4 to strengthen the local response to supporting the needs of people who do not have support networks, including those on the shielding list, older people and disabled people. Anyone who needs advice or support can call the national assistance helpline—I cannot overstate how important that is. I hope that everybody puts that information on their social media and advertises that helpline in any other way that they can. The helpline connects to local authorities, which can provide practical and emotional support, including access to food and other essential items.

In December, we sent everyone on the shielding list a booklet providing advice and information on the support that is available. That is especially important for people with less digital access to information and helpline numbers. It also targets the group that James Kelly just spoke about, who may not be digitally connected. I know from the feedback that I have had from the older people's strategic action forum that getting the booklet through the door was a real benefit for those people.

**Rachael Hamilton:** We know the toll that the virus has taken. It has taken a substantial toll on the older population in Scotland and the mental and physical health impacts have been well documented. Christina McKelvie confirmed that the Scottish National Party's connecting Scotland programme targets just 5,000 older and disabled people. Considering that the Scottish Government's own household survey in 2019 showed that there were about 123,000 over-65s living with no home internet, will the Scottish Government commit now to increasing the number of older and disabled people supported by that programme, and can the minister confirm today whether work on the Government's connected Scotland strategy, which was paused in the spring, has now restarted?

**The Presiding Officer:** Please keep your answer as brief as possible, minister.

**Christina McKelvie:** There were a couple of questions there. It is not just 5,000 people who are supported by the connecting Scotland programme; it is 5,000 older people, but the programme involves 9,000 individuals who are at high clinical risk from Covid-19, including older people. The programme is expanding and developing all the time, and it involves a lot more than 5,000 people. I am happy to give Rachael Hamilton an update on it.

Rachael Hamilton also asked about the connected Scotland strategy. We paused the work on the details of the strategy, but we did not pause the work of delivering on it. The national implementation group involves key partners in all the actions that we are taking to ensure that anybody who is socially isolated and lonely gets the support that they need. That is why the funding is being delivered through those key partners.

**The Presiding Officer:** We have a brief supplementary question from Bill Kidd.

**Bill Kidd (Glasgow Anniesland) (SNP):** I have listened to what has been said, but can the minister confirm that an older person who is on the shielding list can sign up for priority access to online supermarket delivery slots, as was the case in the first lockdown?

**Christina McKelvie:** Yes. We have offered everyone on the shielding list access to priority online supermarket delivery slots, and that offer remains open so, again, it would be good if members could share that. In December, we sent everyone on the shielding list the booklet that I spoke about entitled "Balancing the risks of daily activities during coronavirus", which has additional advice on how to sign up for priority online supermarket delivery slots. The chief medical officer's letter of 5 January also reminded everyone about signing up for that. Those communications provided advice on contacting the national helpline for anyone who needs to sign up. Again, I appeal to members to get that message out to their constituents.

### Universal Credit

5. **Linda Fabiani (East Kilbride) (SNP):** To ask the Scottish Government what issues regarding universal credit have been raised in recent discussions or correspondence with the United Kingdom Government. (S5O-04901)

**The Cabinet Secretary for Social Security and Older People (Shirley-Anne Somerville):** The Scottish Government has written to the UK Government on eight occasions during the pandemic with calls to address the myriad of issues that affect universal credit. I have had calls

with UK ministerial counterparts throughout the same period to reiterate those issues.

We have repeatedly urged the UK Government to confirm that it will make the £20 per week uplift to universal credit and working tax credit permanent and extend it to legacy benefits. We have also called for urgent fixes, including offering non-repayable grants for new applicants and scrapping punitive policies such as the benefit cap, the bedroom tax and the two-child limit. We will continue to urge the UK Government to make universal credit a system that works for people and not against them.

**Linda Fabiani:** Despite the recent ruling in what has come to be known as the Johnson case, which was supported by the Child Poverty Action Group, the Department for Work and Pensions is continuing with the practice of penalising workers who are paid four weekly because they are paid twice within one assessment period. There is also the issue of employees who are paid monthly being paid early, perhaps because of the weekend or a public holiday, and who face the same situation. I have previously written to the appropriate UK Government ministers about that, but I have had no satisfactory response that protects constituents. Will the cabinet secretary please add that issue to the list of many issues for discussion with the appropriate ministers and the DWP at the first opportunity?

**Shirley-Anne Somerville:** I give Linda Fabiani a reassurance that I will absolutely do that, as I share her concerns about the issue. I agree with the High Court judgment that the treatment of claimants who are paid on anything other than a monthly basis is terribly inflexible and unfair. In effect, it leads to an imposition of a benefit cap. To quote the ruling, that approach is one that

"no reasonable Secretary of State"

would have taken.

Last year, the number of households in Scotland that are subject to the benefit cap nearly doubled, to 6,400, and 97 per cent of those households had children. The UK Government urgently needs to fix a myriad of issues with universal credit, but Linda Fabiani is right to point out that concerning issue, and I urge the DWP to look at it seriously. As I said, I am more than happy to reiterate to the DWP my concerns on the issue and on other issues with universal credit.

### Covid-19 (Loneliness and Isolation)

6. **Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP):** To ask the Scottish Government what is being done to tackle loneliness and social isolation resulting from the Covid-19 pandemic. (S5O-04902)

**The Minister for Older People and Equalities (Christina McKelvie):** I know that the new, tougher restrictions are hard. We are all very well aware of the social harms of social isolation and loneliness, which we have spoken about a lot this afternoon. That is why, as part of our £100 million winter funding package, we have invested nearly £6 million in promoting equality and tackling social isolation and loneliness. That includes £4.3 million of additional funding for our connecting Scotland programme specifically to get an additional 5,000 older and disabled people online, as well as funding for befriending helplines. For example, Age Scotland's helpline, which has now received more than £1 million since the start of the pandemic, has been expanded to meet that need.

**Dr Allan:** As I am sure the minister will confirm, there are particular dangers of loneliness among people who do not have access to a car and who live in rural areas, where public transport is limited at the best of times and might now be non-existent. What is being done to reach out to people who find themselves in that specific situation?

**Christina McKelvie:** As part of our £5.91 million winter support package, Befriending Networks Scotland has been awarded £100,000 for a scheme to award small grants of up to £5,000 to tackle loneliness and isolation. Grants will be balanced across rural and urban locations, as well as age groups and other specific groups. We are well aware of the rural aspect.

We know from the Scottish household survey that people in the 16 to 24 age group are most likely to report experiences of isolation and loneliness, and our evidence base suggests that some groups within that group can be at particular risk, such as young mums. That is why we have funded YouthLink Scotland, which already has a role in distributing grant funding to a range of youth work organisations that work on the ground, by providing it with £150,000 to administer a grant scheme to help young people across Scotland—including those in rural and island communities—to get the support that they need to communicate.

#### **Low-income Families (Best Start Foods)**

**7. Bob Doris (Glasgow Maryhill and Springburn) (SNP):** To ask the Scottish Government how best start foods has supported children and families who are living on a low income. (S5O-04903)

**The Cabinet Secretary for Social Security and Older People (Shirley-Anne Somerville):** The best start foods scheme provides direct financial support to low-income families on certain benefits to ensure that healthy foods are part of their family's diet. We are building a benefits system in Scotland that treats people with dignity,

fairness and respect. The devolved best start foods scheme has ended the stigma associated with the United Kingdom paper voucher system by replacing it with a payment card, which can be used like a regular debit card. The scheme has increased the level of payment that is provided to recipients, and it offers more choice by including a wider range of foods for families to purchase and increased access to a wider range of retailers.

Uptake of the scheme increased to around 75 per cent in 2019-20, compared with a take-up rate of 58 per cent for healthy start vouchers. Since August 2019, we have invested £11.7 million to ensure that children and families have access to healthy foods through the best start foods scheme.

**Bob Doris:** The best start foods scheme has been a clear success. That said, I have been working with the Glasgow north baby food bank in an effort to end double delivery charges by supermarkets for families who use the scheme. I welcome the fact that, following my representations, Social Security Scotland is in discussion with supermarkets in an attempt to have additional online service charges for those families removed. Such charges are often imposed because of the low value of an online order.

I also welcome the fact that it emerged during those discussions that Tesco and Iceland have developed offers and discounts for families who use the best start foods scheme, but those might need to be better advertised in the future.

Does the cabinet secretary agree that it would be a hugely positive step if supermarket chains across Scotland eliminated double delivery charges, as well as offering a range of discounted or free products for families who use the best start foods scheme?

**Shirley-Anne Somerville:** I recognise the issue that Bob Doris has raised, and I thank him for again bringing it to my attention. We will continue our engagement with retailers on delivery charges in an attempt to find solutions whenever possible. It is particularly welcome that certain supermarkets have been offering special deals to those who have been on the best start foods scheme. That is obviously fundamentally a choice for the retailers themselves, but it has given welcome assistance to those who are in receipt of best start foods, particularly at this difficult time. I encourage other retailers to look at such deals and those retailers that already have them to extend them, particularly as the crisis goes on. I also thank those retailers for looking at what can be done to assist people at this time.

**The Presiding Officer:** If we are very brief, we can squeeze in the final question.

### Older People (Loneliness)

**8. Dean Lockhart (Mid Scotland and Fife) (Con):** To ask the Scottish Government what action it is taking to help alleviate loneliness in older people during the Covid-19 pandemic. (S5O-04904)

**The Minister for Older People and Equalities (Christina McKelvie):** Dean Lockhart will not be surprised to realise that I have answered a lot of that question in my earlier responses, including on the funding of £15 million and £40 million, access to the helpline, and working alongside our older people's strategic action forum. I hope that those answers respond to Dean Lockhart's questions, but I look forward to his supplementary.

**Dean Lockhart:** One of the activities that older people can do to alleviate loneliness is to meet a family member or a friend outside. However, in recent weeks, because of the winter conditions, some paths and walkways have become more dangerous for older people. That situation has been made worse by the failure of local authorities to clear paths and walkways. Will the minister join me in calling for local authorities to do more to make paths and walkways safer for older people in these winter conditions?

**Christina McKelvie:** That is obviously the responsibility of local authorities and I am always happy to support our local authorities to do what they need to do to make areas safe. It is not for me to dictate that to them, but I recognise the issue that Dean Lockhart has raised, and I know that a number of partners in the older people's strategic action forum have also raised the issue.

**The Presiding Officer:** Thank you, and I thank ministers and colleagues for squeezing all the questions in again. That concludes the questions on the first portfolio, so I hand over to Lewis Macdonald to chair the next session of portfolio questions, which are on finance.

### Finance

**The Deputy Presiding Officer (Lewis Macdonald):** The next portfolio questions are on finance. I remind members that they should enter R in the chat function if they wish to ask a supplementary question.

#### Covid-19 (Targeted Business Support)

**1. Jamie Greene (West Scotland) (Con):** To ask the Scottish Government, further to the Cabinet Secretary for Finance's announcement on 9 December, how many businesses have received support from the £185 million funding package. (S5O-04905)

**The Cabinet Secretary for Finance (Kate Forbes):** For context, I am sure that Jamie

Greene knows this, but we have allocated more than £3 billion to businesses since the beginning of the pandemic. That is more than a third of overall Covid spend, with the vast majority having been paid out to businesses already.

Things have changed, with the changes to the current restrictions on business, so right now just under 50,000 businesses can apply to the open strategic framework business fund to receive their recurring four-weekly grants, which will be paid in January. Those are administered by local authorities.

The December payment was made more than a week early, before Christmas, and we are on track to make the January payment on time. I remind members that all eligible businesses that have been forced to close can apply right now. That is clearly a vast swathe of the business community. Most of them will also get a top-up of up to £25,000, which will be paid in January and is, obviously, more generous than the top-up that was announced in the December statement. Businesses can apply for that grant right now, but in order to reduce the administrative burden for businesses and local authorities, we have streamlined the schemes, so both payments will be made in one go in January.

**Jamie Greene:** I thank the cabinet secretary for her lengthy response, which unfortunately did not answer my question. How much of the £185 million that was announced on 9 January has actually been paid out to businesses? We are halfway through January and businesses are going to the wall. Jobs are being lost every day. It is not good enough to make top-line promises without delivering quickly enough on the ground.

I again ask the cabinet secretary to explain how much of the fund has been physically delivered to real businesses, in cash, on the ground. If the cabinet secretary does not know the answer to that, will she commit to researching and gathering the data from local authorities, and to publishing and reporting it every week so that we know that businesses are getting the money that is announced after top-level announcements?

**Kate Forbes:** I thank Jamie Greene and humbly suggest that he should also do research when it comes to gathering the facts because, right now, businesses require information rather than misinformation.

Data on payments that were made in December will be published imminently. On businesses that can receive support, I told the member in my first answer that just under 50,000 businesses can currently apply to the open strategic framework business fund to receive four-weekly recurring grants, which will be paid in January. On our track

record, local authorities paid out the grant in December a week early.

The top-up that was announced on Monday means that pubs and restaurants in Scotland that have a rateable value of up to £15,000—in other words, small businesses—will receive more than £2,500 more this month than their equivalents in England will receive under the Tories. Local authorities are working extremely hard to distribute the grants, which will be paid in January as we promised. We recognise the huge pressure on businesses right now.

**Colin Beattie (Midlothian North and Musselburgh) (SNP):** As part of the £185 million package, the cabinet secretary announced that hospitality businesses will receive a very welcome one-off payment of between £2,000 and £3,000. Can she provide detail on how many businesses in Scotland it is expected will be eligible for those payments?

**Kate Forbes:** As Colin Beattie rightly said, in December we announced a one-off payment. For the hospitality sector, that has been considerably increased to up to £25,000 for larger businesses. That means that a property such as a pub or a restaurant with a rateable value of more than £51,000 will receive £16,000 more than its equivalent south of the border.

We expect tens of thousands of business premises to be eligible for that top-up, which covers retail, hospitality and leisure. As eligibility is aligned with the strategic framework, businesses need to make only one application. They will receive the four-weekly recurring grant as well as the top-up. In my previous answer, I indicated that a majority of the businesses that apply will receive that top-up.

**Jackie Baillie (Dumbarton) (Lab):** The additional top-up for hospitality, retail and leisure is, of course, very welcome. Unfortunately, the self-catering sector appears to have been missed out. Such businesses are also hospitality businesses. There are hundreds of self-catering businesses in the Loch Lomond and the Trossachs national park area, and there are thousands throughout Scotland, including in the cabinet secretary's constituency. Those businesses feel that they are being treated very unfairly. Why are there no similar one-off grants for that sector, and will the cabinet secretary urgently review the position?

**Kate Forbes:** I will correct the record on one point that Jackie Baillie made. She is quite right to ask about self-catering properties, but I stress that they are already eligible for grants through the strategic framework business fund. All non-domestic-rated businesses that are required by law to close—that includes self-catering

businesses in level 4 areas—are eligible. We have not excluded them.

On the member's question about one-off payments, the self-catering sector is one of the very few that have a bespoke sectoral scheme. Work is at an advanced stage on designing that and making payments. That will be the second sectoral scheme for self-catering businesses; the previous one was launched last summer. All members know from our mailbags that many sectors that would like sectoral schemes do not have that kind of specific support.

I understand the concerns. We have announced a self-catering business specific grant, and we will honour the commitment to deliver it.

### **Barnett Consequentials 2020-21 (Allocation)**

2. **Liam Kerr (North East Scotland) (Con):** To ask the Scottish Government how much of the Barnett consequentials announced for 2020-21 it has formally allocated. (S5O-04906)

**The Cabinet Secretary for Finance (Kate Forbes):** To date, £8.2 billion of consequentials have been formally allocated via the summer and autumn budget revisions, as I indicated in my letter of 8 December to the Finance and Constitution Committee. Since then—just hours before Christmas—a further £400 million of funding has been provided in consequentials. That funding will support a range of costs and has already been distributed to cover support for further grants that have been made under the strategic framework and the top-up business grants that were announced on 11 January. Those funds are demand led, so—as Liam Kerr will appreciate—sufficient funding must be allocated to cover that demand until the end of the financial year. Final allocations will be set out in the spring budget revision.

**Liam Kerr:** I thank the cabinet secretary for that answer, but businesses in Aberdeen and the north-east are on their knees and are desperate to receive the support that the cabinet secretary has promised. Data that were published yesterday show that only seven out of 30 funds have even been launched, and that only £6 million of the new funding that was announced in October has actually reached businesses. Without that money, businesses cannot survive and jobs will be lost.

As the cabinet secretary pointed out, the Scottish National Party has got the money from the UK Government, so what is causing the delay? When will the SNP get its act together and give businesses in the north-east the funds that they have been promised?

**Kate Forbes:** Liam Kerr says that data have been published. He might find that what was published was actually a Conservative press

release and not data, because those figures are not accurate.

With regard to support for businesses right now, I remind him of what I said to his colleague Jamie Greene, and suggest that the Conservatives, rather than misleading businesses, start to distribute information and facts. That information includes the fact that the strategic framework, which is the main focus for businesses—the main fund that is available right now—is live and open, and payments will be made on a four-weekly basis. The next payment date is at the end of January—if payment in December is anything to go by, we will meet the deadline and might, in fact, try to beat it.

**Ruth Maguire (Cunninghame South) (SNP):** The UK Government recently pledged an additional £4.6 billion to support business across the UK, which included an additional £375 million for Scotland. However, I understand that the UK Government has subsequently backtracked on that commitment and has suggested that Scotland will receive no additional funding at all. Can the cabinet secretary advise members on what the Scottish Government's latest engagement has been with the UK Government regarding consequentials arising from that announcement?

**Kate Forbes:** In the immediate aftermath of that announced change, I wrote to the UK Government to express my disappointment that the announcement of funding for businesses in England did not, despite the initial indications, generate new funding. That is a blow to Scottish businesses, many of which were confused by the announcements.

I had hoped, considering that the Scottish Tories seem to be so certain about what funding is available to the Scottish Government, that that situation might have reminded them of how fluid the situation is, and of how complicated it is in terms of the funding that is allocated to the Scottish Government. We do not wait for the UK Government to get its act together—we make announcements and get funding out the door. That is precisely what we are doing with the strategic framework business fund, from which the next payment will be made at the end of January.

#### **Level 4 Restrictions (Business Support)**

**3. Clare Adamson (Motherwell and Wishaw) (SNP):** To ask the Scottish Government how much it has allocated to provide financial support for businesses in the Motherwell and Wishaw constituency that have been impacted by level 4 Covid-19 restrictions. (S5O-04907)

**The Cabinet Secretary for Finance (Kate Forbes):** I recognise that businesses in the Motherwell and Wishaw constituency have been

badly hit by the level 4 Covid restrictions and will, as are businesses across the country, be struggling.

Since the beginning of the pandemic, we have allocated almost £3 billion in support for businesses. Grants are provided to local authorities, which can distribute them to businesses in their area on a demand-led basis. Those funds are live and are available for application right now. The details of any funding that is available through local authorities is available on the Scottish Government website.

**Clare Adamson:** We know that a number of businesses have, for different reasons, been eligible for the various business support schemes that have been implemented since the start of the pandemic. The Scottish Government has stepped in and announced the local authority discretionary scheme, which will allow councils to be flexible in awarding financial support. What guidance has been given to councils in the formulation of that scheme? Can the cabinet secretary give further details on when and how businesses in my constituency may expect to benefit from it?

**Kate Forbes:** That is an important question. We recognise that there are gaps in UK Government schemes and, indeed, in our own schemes, and we recognise the challenges that have been faced by businesses that feel that they have been excluded from the beginning. One of the ways in which we have tried to reach them has been by providing discretionary funding to local authorities. I emphasise that that funding is discretionary in nature. Apart from our asking that the funding be spent on businesses, and that local authorities try to reach businesses that have not received funding to date, it is for local authorities to determine themselves how to distribute the funding, and they have been given guidance to that effect.

My officials have engaged with North Lanarkshire Council, and I understand that the details of the council's discretionary scheme are being considered for approval by its enterprise and growth committee on 4 February, with the scheme being set to go live shortly thereafter. I am sure that the details of the scheme will be published on North Lanarkshire Council's website.

**The Deputy Presiding Officer:** Question 4 has not been lodged.

#### **Covid-19 (Business Support)**

**5. Rhoda Grant (Highlands and Islands) (Lab):** To ask the Scottish Government how much it will allocate to support businesses experiencing difficulties due to Covid-19 that do not qualify for current schemes, or for which the assistance is inadequate to meet their needs. (S5O-04909)

**The Cabinet Secretary for Finance (Kate Forbes):** We will continue to do all that we can to support businesses. In addition to the announcement that I made this week about top-up payments in level 4, I have also announced the discretionary payment to island local authorities for businesses that are not required by law to close but are seeing reduced custom and trade. That additional, one-off funding will help island local authorities support businesses in their areas.

That is in addition to the funding that is already available through the £38 million discretionary fund, and it means that support for businesses in island communities can be brought up to the same level as that for businesses that are affected by level 4 restrictions on the mainland. As I said in my previous answer, that discretionary fund is truly discretionary, and it can reach those that have been excluded from current schemes.

**Rhoda Grant:** I am grateful for that. Many island businesses are impacted in exactly the same way as mainland businesses, because they depend on those areas for their trade.

Laundries and dry cleaners throughout Scotland have been told to remain open as well, because they are an essential service. However, the bulk of their trade is from hospitality, which means that their business has totally disappeared, but they do not qualify for assistance—nor do people who do not pay business rates but have high overheads, because they are not covered by support grants. Many other businesses do not receive support.

Will the cabinet secretary look at making support available to all viable businesses that will otherwise fail due to Covid-19?

**Kate Forbes:** Rhoda Grant highlights a number of very important points. The nature of our business community is complicated, so the schemes that are available have to be complex in nature in order to reach all businesses. Blanket schemes leave some out.

I have already answered the point about island communities, in saying that this week we announced funding for our island local authorities to help them provide support on a par with that provided to businesses in level 4 areas.

On the point about other businesses that Rhoda Grant has mentioned, there are two ways of resolving that. The first is discretionary funding for local authorities across Scotland, which, again, can be used at the discretion of local authorities. The second is sector-based grants, which we have moved into providing.

As I said in December, there is a risk of the landscape of grant support becoming quite complicated and complex. However, for the self-employed, businesses that do not owe domestic

rates and businesses that are not registered in any way in Scotland but that need support—for example, businesses in the wedding sector, taxi drivers or mobile close-contact businesses such as beauticians—those sectoral schemes will reach them.

**Murdo Fraser (Mid Scotland and Fife) (Con):** I will raise the issue of self-catering accommodation providers, which was referred to earlier. The cabinet secretary had previously announced a £7 million scheme. When will that scheme be open for applications and, given that there are more than 16,000 registered self-catering properties in Scotland, and £7 million averages out at just over £400 each, is that sufficient to compensate the sector for the losses that it is suffering?

**Kate Forbes:** The one form of support that Murdo Fraser did not mention but which the self-catering sector is receiving is the on-going strategic framework business fund. Self-catering properties will receive grants of up to £3,000 in January and on top of that, as he mentioned, there is the sectoral scheme, which I announced in December would go live in January—that remains the intention. We are happy to take feedback, which I have heard loud and clear throughout these questions, but at the moment all self-catering properties in level 4 areas will get a grant of up to £3,000 in January and those in our island communities can receive support from the discretionary fund that has been given to our island local authorities.

**Liam McArthur (Orkney Islands) (LD):** Following my discussion with the finance secretary last week, I thank her for accepting the case for additional funding to allow businesses in level 3 areas such as Orkney access to the same support that is available to level 4 businesses from the strategic fund. However, is she able to allay fears among businesses in my constituency by confirming that island councils are free to use the top-up funding to support any business, including self-catering and bed and breakfasts, that would be eligible for support under the framework fund, and that the sector-specific funds that have been announced are in addition and are open to businesses in level 3 and level 4?

**Kate Forbes:** We have listened to feedback from people such as Liam McArthur and others in relation to ensuring that there is support available for the island communities. On the specific question, discretionary funding is available to local authorities, including island local authorities, to do whatever they want with as long as it is for businesses and it reaches those who had been excluded. My view is that the top-up funding should mean that businesses in island communities receive the same support at the same level as businesses in level 4 areas.

### **Covid-19 (Construction and Development Industry)**

**6. Brian Whittle (South Scotland) (Con):** To ask the Scottish Government how much it has allocated to support the construction and development industry during the Covid-19 pandemic. (S5O-04910)

**The Cabinet Secretary for Finance (Kate Forbes):** When the pandemic began back in late March, we moved rapidly to put in place a support package to protect businesses, jobs and livelihoods. That included the business support grant fund, totalling more than £1 billion, which included the small business grant fund offering grants up to £10,000 on properties in receipt of certain reliefs.

We also introduced the pivotal enterprise resilience fund for vulnerable small and medium-sized enterprises that are vital to the local, regional or national economy, and that delivered almost £12 million of support primarily to the construction sector. Separately, we provided a £230 million return-to-work package to stimulate Scotland's economy and provide the confidence that our construction industry requires. Together, that package of support has tried to address the challenges that the construction industry faces.

**Brian Whittle:** The cabinet secretary will be aware that in the construction industry the workforce is predominantly provided by subcontractors, which can furlough staff should those staff be uncertain of their ability to come back to work. That often leaves main contractors and developers the cost of interest payments, site costs and losses if the site has to close. What support can the Scottish Government give to those in that situation?

**Kate Forbes:** That is a good point; if the member wants to flesh out the specifics of what he is talking about, I would be happy to look at that.

On the question about subcontractors, where businesses need support there may well be support available to them. Secondly, right now, confidence is imperative. Brian Whittle talked about contractors being concerned and worried about their pipeline of work and therefore about taking decisions on subcontractors. There is an important role for Government to play in providing that confidence. In two weeks' time, there is a budget and, as part of that, I intend to set out a pipeline of infrastructure work, not just over the next year but over the next few years, to give that confidence and, I hope, allow construction companies not just to invest in their workforce but to expand it in order to meet the pipeline of work that will be available.

### **Covid-19 (Business Support)**

**7. Ruth Maguire (Cunninghame South) (SNP):** To ask the Scottish Government how much funding it has made available to business throughout the Covid-19 pandemic. (S5O-04911)

**The Cabinet Secretary for Finance (Kate Forbes):** Since the early stages of the pandemic, our support for business and the economy totals almost £3 billion, which is more than a third of total Covid funding. That demonstrates our firm commitment to provide as much as possible to directly support affected businesses.

**Ruth Maguire:** It is important that steps are taken to ensure that demand for business support does not outstrip the resources that are available. However, a lack of fiscal flexibilities limits the action that the Scottish Government can take in that regard. Does the cabinet secretary agree that the United Kingdom Government should urgently release reserves to enable the Scottish Government to provide additional support to business?

**Kate Forbes:** I thank the member for that question and I assume that she is talking about the fact that the UK Government has announced a £55 billion Covid fund for the coming year, but has allocated only a small amount of that funding. From the outset, we have been clear that this year's Covid funding from the UK Government is welcome but that it does not cover all the need. In these questions alone, I have heard calls for additional support for businesses in different sectors, and it is clear that businesses are facing challenging times. We will use every penny that we can to get the support out of the door.

We also need to make sure that we cover all the costs and needs between now and the end of the financial year. I am concerned that, at this stage in the financial year—almost halfway through January—we are still awaiting our final funding settlement for 2020-21. Furthermore, the UK Government might release additional consequentials that it has announced but not allocated. That is why I wrote to the chancellor this week to request that that reserve be allocated, so that we know what we are planning with, because that would allow us to fully plan and respond to the crisis now rather than waiting for the delayed UK budget in March.

### **Public Finances (Shared Prosperity Fund)**

**8. Colin Beattie (Midlothian North and Musselburgh) (SNP):** To ask the Scottish Government whether there has been an update from the United Kingdom Government on the UK shared prosperity fund and how it will impact on Scotland. (S5O-04912)

**The Minister for Trade, Innovation and Public Finance (Ivan McKee):** Following the UK's exit from the European Union, Scotland is now unable to participate in future EU structural funds programmes.

The recent UK spending review provided outline information about the shared prosperity fund and a modest £220 million one-year additional funding programme to cover the entire UK. How those funds will operate in practice or how the Scottish Government will participate in their development are questions that remain unanswered.

Based on a like-for-like replacement of previous EU funding support for Scotland, we seek an annual replacement value of £183 million for Scotland from the UK fund.

Given the lack of concrete information from the UK Government, we are unable to determine how Scotland will benefit from those funds, but we are working hard to ensure that Scotland is not short changed. We have published our proposals for the shared prosperity fund and continue to press the UK Government for full devolution of funding to ensure that Scotland's distinctive needs are met.

**Colin Beattie:** Given the continuing uncertainty in respect of how Scotland's finances will be impacted post-Brexit, how does the Scottish Government propose to mitigate those risks and is the UK Government taking steps to provide reassurance in that regard?

**Ivan McKee:** We are doing all that we can with the powers that we have to mitigate the worst impacts of the UK's exit from the EU. Measures are being taken to protect trade and critical supply chains in order to reduce the risks of disruption of goods and people crossing borders and to provide Scottish businesses with the vital advice and information that they need to continue to operate effectively.

However, we are clear that we will not be able to mitigate all the impacts completely. Any loss of structural funds moneys on the scale that I have outlined would be very difficult for us to mitigate. The impact on many of Scotland's most fragile communities could be significant and we should not be surprised that the Tories are finding new ways to attack the poorest in our society. That is why we will continue to press for full devolution of our fair share of future funding, for the lost structural funds at least to be replaced in full and for there to be no grab by Westminster of our devolved powers in that area. That is what our stakeholders want and that is what we will keep trying to deliver.

**The Deputy Presiding Officer:** That concludes questions on finance. I will hand over the chair to the Presiding Officer for the next set of portfolio questions.

## Environment, Climate Change and Land Reform

**The Presiding Officer (Ken Macintosh):** Our final portfolio this afternoon is environment, climate change and land reform. I remind members that questions 4, 6 and 8 are grouped together and questions 5 and 7 are grouped together. That means that supplementary questions will come at the end of each grouping. There are quite a lot of members who wish to ask supplementary questions today, so I encourage all members and ministers to be concise.

### Offshore Wind Farms (Protection of Marine Life)

1. **Beatrice Wishart (Shetland Islands) (LD):** To ask the Scottish Government how it ensures that marine life is protected in the development of offshore wind farms. (S5O-04913)

**The Minister for Rural Affairs and the Natural Environment (Ben Macpherson):** [*Inaudible.*]

**The Presiding Officer:** Minister, I am going to pause you for a moment because your microphone is not working.

We will move to question 2 and then come back to you.

### Climate Change (Support for Innovative Projects)

2. **David Torrance (Kirkcaldy) (SNP):** To ask the Scottish Government how it supports the design of new and innovative projects that can help to tackle climate change. (S5O-04914)

**The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham):** The climate change plan update, published in December, sets out several measures to support innovation and encourage new technologies and ideas. That includes £180 million for a new emerging energy technologies fund, which will support the development of Scottish hydrogen and carbon capture and storage industries, as well as new negative emissions technologies.

Innovation happens at the community level, too. Last week, I was delighted to announce support of £3.2 million this year for more than 270 projects through the community climate asset fund, which provides new and innovative ways for communities across Scotland to contribute to the national endeavour.

**David Torrance:** We have seen many successful community energy projects, which have not only provided people with improved energy efficiency options but helped to regenerate communities. What assistance can the Scottish

Government give to community groups that are keen to take a proactive role in achieving Scotland's zero carbon goal through community-led renewable energy projects?

**Roseanna Cunningham:** I have already mentioned the community climate asset fund. The Scottish Government also continues to support the growth of community and renewable energy through its community and renewable energy scheme. Since its inception, CARES has made available more than £51 million to support more than 600 community and locally owned renewable energy projects across Scotland. That is helping communities to play a part in the transition to net zero. The next iteration of CARES, which is due to commence on 1 April, will focus on decarbonisation—particularly heat decarbonisation—and driving community-led activity.

**The Presiding Officer:** I am hopeful that we have reconnected with the minister, Ben Macpherson. The question was from Beatrice Wishart on the development of offshore wind farms.

**The Minister for Rural Affairs and the Natural Environment (Ben Macpherson):** Throughout the development process for offshore wind farms in Scottish waters, the Scottish Government manages a delicate balance between delivering our net zero commitment and protecting Scotland's diverse and precious marine environment. Strategic environmental assessments ensure that environmental issues are taken into account at the planning stage, and habitats regulations appraisals are undertaken to determine whether a plan or project will have an adverse effect on the integrity of a protected area.

Following that, at the application stage, developers must submit an environmental report identifying potential impacts on marine life, which is subject to rigorous consultation with environmental stakeholders. Ministers are required to consider those impacts when making their determination. Should consent be granted, it is subject to conditions mitigating and monitoring the effects on the environment where necessary, maintaining the important balance between the need to produce clean green energy and protecting our natural environment.

**Beatrice Wishart:** It is estimated that there are more than 100,000 tonnes of unexploded munitions in British waters, and many of them will be at Scottish sites that are earmarked for offshore wind farm development. As the Scottish Environment LINK orca species champion, I am concerned about the impact on cetaceans of clearing munitions. Detonations and explosions can displace animals and cause permanent

hearing loss, and fish breeding grounds can be impacted.

I have had correspondence with the cabinet secretary about low-order deflagration, which is a new disposal technology. What progress has been made on the introduction of a policy change to make use of such technology to protect marine life?

**Ben Macpherson:** I thank Beatrice Wishart for mentioning her correspondence with the cabinet secretary in the autumn. As she will know, should an unexploded ordnance require detonation, a European protected species licence would be required from Marine Scotland. Compared with other methods of UXO disposal, deflagration has the potential to significantly reduce acoustic impacts. However, for a change in policy to require that technique to be used, such methods must be proven to be commercially viable. We await consideration of that. We are happy to continue to correspond with Beatrice Wishart on those important matters.

### Flood Prevention Measures (Lothian)

**3. Miles Briggs (Lothian) (Con):** To ask the Scottish Government what action it is taking to support flood prevention measures in Lothian. (S5O-04915)

**The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham):** In our programme for government, we committed to providing an extra £150 million for flood risk management, in addition to the £420 million 10-year funding that we have provided to local authorities.

We continue to work with the Scottish Environment Protection Agency, local authorities and other relevant bodies to deliver the actions that are detailed in the current flood risk management strategies and plans. That includes supporting the estimated £42 million Musselburgh flood protection scheme, which is at design stage. The next round of strategies and plans will detail the actions that have been prioritised in the 2022 to 2028 flood risk management cycle in order to reduce the risk of flooding to communities in Lothian and elsewhere.

**Miles Briggs:** The cabinet secretary will be aware that, after torrential rain in early December last year, the River Almond burst its banks at Kirkliston, much to the concern of local residents, who have faced regular flooding threats and the damage that floods have caused over many years. What assessment has been made of the additional measures that will be required to protect residents and businesses in Kirkliston? Will the cabinet secretary assure local people that the Scottish Government will support any necessary

measures? Will she also agree to a site visit with me to see the impact of flooding on the local community in Kirkliston?

**Roseanna Cunningham:** I am not certain that I can agree to the site visit proposal in the current circumstances. I will need to take advice, but we will certainly liaise with Miles Briggs on that.

For any proposal, detailed discussions involving local authorities and SEPA need to take place. I am not certain how far that process has gone in relation to Kirkliston. If Kirkliston is not already one of the areas that is listed in the plans, consideration will be given to its inclusion. I undertake to write to Miles Briggs on that specific issue. Given the recent nature of the incident that he talked about, it would be helpful to know the extent to which consideration and discussions are already taking place on the inclusion of Kirkliston in future flood risk management proposals.

**Gordon MacDonald (Edinburgh Pentlands) (SNP):** A number of areas in my Edinburgh Pentlands constituency—in particular, parts of Longstone, Kingsknowe, Currie and Balerno—are prone to flooding. What discussions has the Government had with SEPA, Scottish Water and the City of Edinburgh Council on delivering the actions that are set out in the flood risk management strategies and plans?

**Roseanna Cunningham:** We do, of course, engage extensively with SEPA, Scottish Water and other relevant agencies—including the City of Edinburgh Council—on a wide range of issues to ensure that Scotland is resilient to the challenges of flooding and other climate pressures. National and local working groups provide a forum for discussion on issues including monitoring progress of the flood risk management strategies and plans. The Scottish Government discussed the strategies and plans at the latest Scots flood risk management group meeting in November 2020. The City of Edinburgh Council and SEPA are both members of that group.

### Fly-tipping

4. **Finlay Carson (Galloway and West Dumfries) (Con):** To ask the Scottish Government what progress it has made in tackling fly-tipping. (S5O-04916)

**The Minister for Rural Affairs and the Natural Environment (Ben Macpherson):** Throughout the pandemic, we have worked closely with the Convention of Scottish Local Authorities and local authorities to support the reopening and continued safe operation of household waste and recycling centres and essential waste services.

Updated Scottish Government guidance explicitly allows people to travel to access essential waste and recycling services. Local

authorities are working hard to keep waste collections operating under very difficult circumstances. I want to pay tribute to and thank all refuse workers for their hard work in keeping our vital services running.

I urge everyone to manage their waste responsibly at this difficult time. Our waste management marketing campaign and web resource, which includes messages on fly-tipping prevention, set out how the public can do that.

**Finlay Carson:** Since 2015, the inclusion of unauthorised sites within the landfill tax legislation has allowed Revenue Scotland to charge tax on unauthorised dumping. Information sharing also takes place between Revenue Scotland and the Scottish Environment Protection Agency that allows SEPA's intelligence team to share information with Revenue Scotland to determine whether unauthorised disposals have been undertaken.

The legislation relates to unauthorised disposals, including fly-tipping, made with or without the agreement or explicit knowledge of the landowner, where the person liable to pay tax is

“any person who ... made the disposal, or ... knowingly permitted the disposal”.

Can the minister explain why not one penny has been recovered in relation to unauthorised disposals, given that the Government says that it is doing everything that it can to stop fly-tipping?

**Ben Macpherson:** I thank Mr Carson for that important follow-up and the technical detail. Given that the supplementary question covers both this portfolio and the finance portfolio, I will take his question away, consult finance colleagues and provide him with a written response on the matters raised.

### Littering and Fly-tipping

6. **Claire Baker (Mid Scotland and Fife) (Lab):** To ask the Scottish Government what steps it is taking to reduce levels of littering and fly-tipping. (S5O-04918)

**The Minister for Rural Affairs and the Natural Environment (Ben Macpherson):** We are working closely with local authorities and the Convention of Scottish Local Authorities to ensure that household waste recycling centres remain open under current Covid-19 restrictions to allow for the recycling and disposal of waste. Since the beginning of the pandemic, we have established a waste and resources sector forum to bring together key partners in the waste sector and ensure that we work closely on key issues, including littering and fly-tipping.

Our national litter strategy, which includes measures on fly-tipping, is coming to the end of its

five-year lifespan and we are reviewing how to best take forward policy in this area. At the end of the month, the Cabinet Secretary for Environment, Climate Change and Land Reform will attend a round-table discussion to hear proposals for further measures to tackle fly-tipping from various stakeholders.

**Claire Baker:** I will focus on littering. We are all aware of the importance of using face coverings and masks in the battle against Covid-19, but we are seeing far too many of them littering our streets, beaches and countryside, which presents a risk to wildlife in particular, as well as a health risk.

It is estimated that around 30 per cent of Scots use single-use face coverings. What is the Scottish Government doing to ensure that those face coverings are being disposed of correctly and safely, and how it is promoting the use of reusable face coverings?

**Ben Macpherson:** Throughout the pandemic and following changes to regulations to stipulate the wearing of face coverings, there have been a number of initiatives on messaging, from national marketing campaigns on how and when we should wear face coverings to encouraging people to use face coverings that can be reused safely once rewashed. There has also been messaging, with partners, on how to dispose of single-use face coverings safely and appropriately. I give the member an undertaking that I will continue to keep considering this important issue and our initiatives as a result of her questions.

### Fly-tipping

**8. Murdo Fraser (Mid Scotland and Fife) (Con):** To ask the Scottish Government whether it will provide an update on what discussions it is having with local authorities regarding fly-tipping. (S5O-04920)

**The Minister for Rural Affairs and the Natural Environment (Ben Macpherson):** I refer Murdo Fraser to the answers that I have given to the previous questions on this subject. I take the opportunity to restate the Government's continued and frequent liaison with the waste sector, including the Convention of Scottish Local Authorities, via our waste and resources sector forum. The forum has met regularly since the start of the pandemic. In addition, I extend our continued thanks to our key workers in refuse, who are working hard in difficult circumstances to keep that key service running. I am sure that I speak for colleagues in that regard.

**Murdo Fraser:** Local authorities have the power to issue fines for fly-tipping, but that power is seldom used because there are procedural issues

and because of difficulties in the collection of evidence.

When did the Scottish Government last review the legislation that empowers local authorities to take action? Does the Scottish Government believe that it is time to look again at the law on the matter to try to increase the level of prosecution in relation to what is a growing problem?

**Ben Macpherson:** The Scottish Government is always willing to strengthen our approach to littering and fly-tipping. We increased the penalties in 2014, but if new or additional measures would provide a further deterrent, we are willing to consider those. Such measures might involve looking at how we can strengthen the waste carrier regulations. Those are important questions for us all to consider as we develop the next strategy, and the Scottish Government will certainly do so.

**The Presiding Officer:** We have a number of supplementary questions on this issue. I am not sure how many we will get in, but we can try. We go to Colin Beattie first.

**Colin Beattie (Midlothian North and Musselburgh) (SNP):** What preparation is under way to ensure that our waste sector can continue to operate during this second national lockdown, which is so important to us in stopping the spread of Covid, protecting our national health service and saving lives?

**Ben Macpherson:** Waste collection is an essential service. As I have said, we are grateful to those who work to keep such services going in communities across Scotland. During this national crisis, we continue to work proactively with COSLA, local authorities, the Scottish Environmental Protection Agency, Zero Waste Scotland and the waste sector as a whole to understand the overall resilience of disposal and collection arrangements and to explore solutions where any challenges are identified.

That process includes working with the waste sector—and with other sectors that have faced similar issues—to share best practice from the first lockdown. In partnership with Zero Waste Scotland, COSLA and SEPA, we are extending our programme of national communications through the managing our waste campaign to support households and industry to manage their waste effectively during this second lockdown.

**Ruth Maguire (Cunninghame South) (SNP):** On the topic of fly-tipping and littering, will the minister give an update on plans for and progress towards banning harmful single-use plastics as part of the Scottish Government's intention to build a circular economy?

**Ben Macpherson:** As members know, the Scottish Government has committed to meet or exceed the standard that is set out in the European Union directive on the use of single-use plastics. We remain committed to long-term initiatives to tackle our throwaway culture and encourage a circular economy.

The consultation seeking views on proposals to ban single-use plastic straws, stirrers, cutlery, plates, balloon sticks and expandable polystyrene food containers was published on 12 October 2020 and closed on 4 January 2021. We are now analysing the responses, ahead of preparing draft regulations. The proposed introduction of market restrictions is part of a package of wider measures that we are taking forward to address marine litter and support a shift away from a throwaway culture.

### 26th Conference of the Parties (Preparations)

**5. Anas Sarwar (Glasgow) (Lab):** To ask the Scottish Government whether it will provide an update on preparations for COP26, scheduled to take place in Glasgow in November. (S5O-04917)

**The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham):** We are, of course, delighted to be hosting COP26 and look forward to the opportunity to demonstrate Scotland's world-leading climate action as the eyes of the world turn to Glasgow. My officials continue to support planning preparations for delivery of a safe, secure and successful COP26 and they are working with partners to ensure that. That includes recent involvement in a safety and security risk assessment and the creation of a planning group to provide Scottish public health advice and to support the United Kingdom Government in ensuring that the already-postponed event can safely operate within a Covid-19 environment.

**Anas Sarwar:** COP26 is, of course, an important opportunity to demonstrate global leadership, but it is also an important economic opportunity for the city of Glasgow. Given the restrictions that have been put in place because of the pandemic, are there contingency plans in case the conference has to be scaled back or, indeed, cancelled? If either were to happen, how early would the Government make the decision and communicate it to stakeholders in Glasgow?

**Roseanna Cunningham:** Anas Sarwar will recognise that the situation with the pandemic is incredibly fluid. We are currently preparing for a COP26 in November, as previously desired. I anticipate that, as a result of what has happened, proceeding on that basis will probably involve a great deal more virtual work than would perhaps have been the case for previous COPs. The extent to which virtual work may become an even greater

component is difficult to gauge at this point. The issue is kept under constant review.

At the moment, we do not have a fixed deadline by which decisions would have to be made. In any case, for obvious reasons, that is not a decision that would be made simply by the Scottish Government. It would require to be made in collaboration with the United Kingdom Government and other agencies, not least of which would be the United Nations. It is a slightly more complex matter than it might initially appear.

### 26th Conference of the Parties (Preparations)

**7. Stewart Stevenson (Banffshire and Buchan Coast) (SNP):** To ask the Scottish Government what preparations it is making for its participation in COP26. (S5O-04919)

**The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham):** Beyond the operational readiness that I set out in response to Anas Sarwar, we are taking action across the board to prepare for COP26 around our agreed themes of just transition and people. We have recently published a draft public engagement strategy and we are partnering with Glasgow Science Centre on a community engagement programme.

We were honoured with our appointment as co-chair of the under2 coalition and we are using that to drive momentum and ambition globally. We will also shortly take the novel approach of publishing "Scotland's contribution to the Paris Agreement—an indicative NDC", focusing on Scotland's world-leading targets and summarising our plans to reduce emissions and adapt to climate change.

**Stewart Stevenson:** At previous COPs, Scottish ministers have been a formal part of the United Kingdom delegation—indeed, I was, on more than one occasion. Is that expected to be the case at COP26?

**Roseanna Cunningham:** Yes—I have been a formal part of the UK delegation in each year since I was appointed to this job. We have been consistently represented at the COPs since 2009 and we expect that to be the case at COP26. As I have already referenced, we will demonstrate our leadership at COP26 when, as co-chair of the under2 coalition, we will drive momentum and climate ambition on the global stage.

**The Presiding Officer:** My apologies to members, but we have run out of time to squeeze in any more questions. We have to move on to other business, for which I will hand over the chair to Lewis Macdonald as Presiding Officer.

## Employment Opportunities (BAME Women)

**The Deputy Presiding Officer (Lewis Macdonald):** The next item of business is a members' business debate on motion S5M-23448, in the name of Linda Fabiani, on the young women lead report on how to increase employment opportunities for black and minority ethnic women. The debate will be concluded without any question being put.

### *Motion debated,*

That the Parliament welcomes the publication of the 2019-20 Young Women Lead (YWL) report, which investigates what measures are being taken to increase employment opportunities for women from ethnic minorities; understands that this topic was chosen because there is a lack of Scotland-specific data regarding BAME women's experiences moving from education to employment; believes that, despite a number of policy initiatives and recognition of the problems, the report states that "outcomes for minority ethnic communities have not improved over the past two decades and that the focus needs to be on action"; acknowledges that the YWL committee researched its work through evidence sessions, online surveys and interviews with employers, employees, teachers and students; believes that this report brings an opportunity to better understand the barriers faced by young BAME women in East Kilbride and across the country, and notes the calls for the report's recommendations to be considered in an effort to improve outcomes for everyone affected so as to create a fairer, better Scotland for all.

14:55

**Linda Fabiani (East Kilbride) (SNP):** I am pleased to be able to shine a light on the work that I have been privileged to participate in, on behalf of our Parliament, with young women lead, which is a leadership programme for women aged 30 and under who live in Scotland, delivered in partnership with YWCA Scotland, the young women's movement.

This is the third of the subject programmes that I have been involved in. By way of quick explanation, part of the leadership programme is that the participants form a committee, chaired by me, which carries out an inquiry, on a subject of their choosing, in the format of a formal parliamentary committee. The chosen topic of inquiry this year, which is investigating education and employment and the important transition between them for young women from ethnic minorities, is one that is of real personal importance to this year's participants. For the first time, young women from ethnic minority backgrounds have made up the whole committee membership.

It is a sobering fact that there has never been a woman from an ethnic minority elected to the

Scottish Parliament. I know that members of the Parliament firmly believe that that must change.

It is appropriate at this point to note that, in its report, the young women lead committee acknowledges the problematic nature of the use of the term "BAME". The term features extensively in the committee's report—in order to represent its demographic and the focus of its inquiry—for lack of a better available word, the committee members feel, in the current landscape.

Over the course of the inquiry, participants heard about the challenges and barriers that are faced by young women from ethnic minorities in education, job hunting and employment. Of course, we have all heard about that for some time, and we all know that there is an issue. Our young women also heard and determined that a focus is needed on finding solutions, on truly sharing best practice and on creating real change. There has to be improvement.

The recommendations that are contained in the report are a step towards that change. As I say in the introduction to the "Young Women Lead 2019/2020 Report",

"This report is the voice of the young women on this year's committee, and **now is the time for that voice to be heard.**"

The report details the background and the current policy, it discusses education and employment and, as I have said, it explores that important transition between them. The report notes that there are many policy initiatives in the public sphere and there are ambitious aims and good intentions, but the barriers still exist. Outwith the work of young women lead, the issue has exercised many of us for some time. Too often, we tick the boxes, but we do not open them up for qualitative assessment. If the minister will excuse my saying this, Governments, both national and local, are often guilty of that.

The report makes specific recommendations, including, in the education sphere, ensuring that local authorities recruit BAME identifying individuals as career advisers, and investing in useful training and development for all career advisers; creating a career development programme linking BAME women to resources so that they can build a career pathway; acknowledging the importance of role models and creating mentorship schemes for young BAME women; and further considering the presentation of opportunities at local authority career events and school fairs.

When it comes to employment, there are a load of recommendations, understandably. I will focus today on those that we believe can be considered by the Scottish Government, for action by it or for discussion with partners in the public and private

sectors. One is ensuring that employers collect and use workforce data to benchmark current levels of BAME women within their workplace, so as to identify underrepresented populations. There is a lack of Scotland-specific data.

Other recommendations include supporting proactive recruitment strategies such as scholarship programmes, internships, apprenticeships and work experience for underrepresented populations; supporting the creation of BAME networks in sectors of industry; considering the creation of a stakeholder group of appropriate people to develop a portal of best practice for employers; and highlighting and celebrating employers that offer the best policies for supporting and developing young BAME women.

Recommendations that are aimed directly at the Scottish Government include that it should evaluate the effectiveness of the existing toolkit surrounding recruitment practices, considering its expansion beyond the recruitment process, and that it should fund third sector organisations that already provide recruitment services to allow them to specialise in that area.

A major recommendation that covers both elements of the study is to acknowledge the additional barrier of poverty, which can disproportionately affect BAME communities' experiences. That could be done through Scottish Government funding of BAME-led organisations that deliver employability support. I add a personal comment on that point. What is needed is sustainable funding for organisations that have shown that they are effective, which will allow them to get on with the job rather than constantly having to seek and justify further financial support.

I look forward to hearing the minister's response. He and his colleagues, particularly Christina McKelvie, the Minister for Older People and Equalities, will be aware that the general findings of the young women lead committee complement those of other studies. Close the Gap is a much-respected policy advocacy organisation that works in women's labour market participation. It has welcomed the young women lead committee's report and has noted that

"In Scotland, Black and minority ethnic ... women face an intertwined set of gendered and racial barriers that affect their ability to enter, progress and stay in good quality employment."

However, the minister and his colleagues—including you, Presiding Officer—may not know about the further interest that the report, and the work of our Parliament and of the young women's movement, has invoked. Already, participants in the young women lead committee—together with Elena Soper from the young women's movement, Hayley Forrester from the Parliament's clerking

team, and me—have met representatives of the Parliaments of Bavaria, Catalonia, Wales and Flanders to discuss the programme and the committee's report. We have been invited to a similar discussion next week with the chair of the circle of women members of the National Assembly of Quebec. I hasten to add that all that activity is happening online.

I do not have time to thank everyone who has taken part in the project—for example, those who met participants, gave their time and provided evidence. Particular mention must go, though, to the dedicated staff of the young women's movement—and to our own parliamentary staff, who helped to develop the young women lead project and have enthusiastically embraced it over the past three years.

Of course, I must also thank the young women who have taken part. I do not have the words, let alone the time, to express the admiration that I have for them and the work that they have carried out through the hardest of times. The dedication that they have shown and their determination to make a difference to the lives of other young women living in Scotland have been truly inspirational.

We believe that it is time for change, and that change is possible. I commend this valuable report to Parliament. I also recommend it to the Scottish Government as providing extremely useful information that should be considered very seriously.

15:03

**Ruth Maguire (Cunninghame South) (SNP):** I congratulate Linda Fabiani on securing the debate and acknowledge the excellent support that she has given to this important and interesting project. I commend the work of the young women lead committee in what have been particularly challenging times, as Ms Fabiani has said.

BAME women are underrepresented in all sectors of the labour market. I agree with the report's finding that that must change if we are to reflect Scottish society better. That should not be news to any of us here. Over the past two decades, there have been numerous parliamentary committee reports along with a lot of academic research and Government race equality frameworks supported by action plans, all aimed at tackling institutional racism and improving equality for minority ethnic people and, although there has been progress, the young women lead committee report highlights how slow the progress has been and the inordinate amount of work still to be done.

I was deeply troubled to read in the report that 65 per cent of respondents to the inquiry aged 25

to 30 were actively discouraged by school career counsellors from pursuing specific paths. I am concerned that, although career guidance is available, it is often infrequent and inconsistent, so I welcome and support the recommendation for local authorities to recruit BAME identifying individuals as career advisers. That is an important recommendation, as all the recommendations are, and they should be actioned.

I want to make it clear that responsibility for the employment gap does not lie with underrepresented individuals; much more must be done to tackle institutional racism. The Equalities and Human Rights Committee, which I convene, last year reported on race equality, employment and skills. The report looked at the recruitment process of public authorities and showed that, according to the regional employment patterns in Scotland, the employment gap between BAME workers and white workers was 14.4 per cent in 2017 and that it rose to 16.4 per cent in 2019.

In her opening speech, Linda Fabiani mentioned Close the Gap. Its research paper, "Still Not Visible: Research on Black and minority ethnic women's experiences of employment in Scotland", was published in February 2019. It reported that many minority ethnic women face a range of barriers in securing employment, with many reporting experiencing racism and discrimination at interview stage; once a job is secured, workplace culture can provide negative employment experiences for many. That shows a profound failure of employer equalities practices and can result in a lack of confidence among BAME women in employment complaints handling mechanisms, all of which results in racism, discrimination and inequality going unchallenged.

Although employers in both the public and private sectors may be meeting their legal duties by having policies in place to challenge discrimination and inequalities, those policies have to be underpinned by training and support to give employees the tools to report unacceptable behaviour and to feel comfortable in doing so. Also, importantly, managers and other employees with human resources responsibilities need to be equipped and feel comfortable to handle such complaints.

I feel that it is important to echo the report's suggestion to develop a toolkit that delivers race and ethnicity induction and training at work to foster inclusive workplace cultures, which must not be limited to just the recruitment process.

The Scottish Government's workplace equality fund, which aims to work with businesses to address long-standing barriers in the labour market, is a welcome commitment and goes some way towards challenging some of the issues.

Scotland can and must tackle institutional racism, but we must first accept that it exists, whether it is explicit or indirect. Chief executives and business leaders have a responsibility to create and sustain workplaces where progress can flourish and diversity is valued for all the benefits that it brings. We should all continue to work on ensuring that they do just that.

Strong leadership such as that shown by the young women lead committee is required to make employment of minority ethnic people a priority within organisations and business.

15:08

**Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con):** I thank Linda Fabiani for bringing this members' business debate to the chamber today. We know that, since 2017, the young women lead committee has been working hard to ensure that young women from BAME backgrounds are better represented in all aspects of Scottish life.

It is unsurprising that Linda Fabiani, who convenes the group, describes the young women involved as determined, dedicated and inspirational. I was deeply encouraged by their work and I believe that, across Scotland, young people are rightly looking ahead in a positive way, despite the difficult times that we face.

Young people, whether on the YWL committee or elsewhere, are working really hard to drive forward policies that will shape their futures. That is crucial to the success of our future society and monetary economy, especially for those from BAME backgrounds.

It is disappointing that, in this day and age, we have to support specific ethnic groups rather than treat young people as a whole in a way that is blind to race, colour or ethnicity. In Scotland, we have come a long way in promoting equality and equal opportunity, but the stark reality remains that, today, someone from a black and minority ethnic background is around twice as likely to experience poverty as someone from a white British background.

That chimes with the chosen topic of the inquiry this year, which was the transition from education to employment for young women from ethnic minorities. Without a doubt, this year has been the most difficult year in recent times for young people leaving school or university and seeking employment. The Covid-19 pandemic has left many young people without the usual chances to gain work experience in transitioning out of education. Despite BAME pupils performing very well at school or university, the report highlights that young BAME women have to navigate the transition from education to employment with the

added burdens of unconscious bias, stereotyping, gender issues and cultural ignorance.

Research by the Coalition for Racial Equality and Rights found that graduate unemployment is affecting BAME graduates in Scotland, who are up to three times more likely to be unemployed compared to white graduates. The impact of Covid is making the job market fiercely competitive this year, but, without doubt, those effects are far more pronounced for those from BAME backgrounds in the form of the ethnicity-related employment gap. According to the Coalition for Racial Equality and Rights, that gap in Scotland is much wider for young people. For 16 to 24-year-olds, there is a 26.1 per cent gap between minority ethnic and white employment rates, and the figure stands at 25.3 per cent for 25 to 34-year-olds. More action must be taken not only to reduce unemployment in the years of recovery ahead but to tackle the deep and systemic racial problems that cause such gaps to prevail.

I want to touch on some of the recommendations that are highlighted in this year's report, because I believe that, if they are implemented fully, they could bring real and positive change in a future economic recovery. When we create new jobs, it is important that we ensure that there is equal access to them as well as the right support in workplaces for BAME people. The Scottish Government should support the creation of BAME networks in different industries to aid mentorship and recruitment. That would be the first step in ensuring that young BAME women can have an insight into what roles are out there and have mentors for applications and interviews.

We need better links with BAME representatives in schools, colleges and universities as well as in companies from a variety of sectors and in the Scottish Parliament. As Ms Fabiani said, through a greater system of mentoring, career talks and specific BAME internships, young women can have more opportunities to add valuable work experience to their CVs and can equip themselves with the right tools to progress their careers. As we look to the future, I hope that businesses and the Government work constructively to remove the barriers for young BAME women. We seem to be repeating ourselves quite a lot in this Parliament. We need real change.

I thank the YWL committee and its convener, Linda Fabiani, for today's debate. I believe that we must see more engagement from businesses and the Scottish Government in working collaboratively to mentor and train young BAME women so that they are provided with more opportunities when transitioning from education to employment.

15:13

**Pauline McNeill (Glasgow) (Lab):** I thank Linda Fabiani for bringing the debate to Parliament. In my mind, there is no better person than Linda Fabiani to lead a group such as the YWL committee. I am sure that her dedication to the issue will stand the Parliament in good stead. I think we were all a little jealous when Linda talked about all the places that she had been liaising with, such as Bavaria and Quebec, but, of course, we now know that she did not leave her living room to do that. Perhaps some day she will get a chance to meet the people who have contributed to the report, which I whole-heartedly welcome. I have been calling for some time for more data not just on black, Asian and minority ethnic women's experiences of the move from education to employment, but across the board on a whole host of issues.

Linda Fabiani said that the term "BAME" is not liked and that we have used various terminologies in the past. It is important to listen to those women in considering how we should continue to refer to them.

We know that the number of women from the BAME population in leadership roles is very poor. As other members have said, they face unique barriers, as well as other people's unconscious bias, which can limit their progression.

The remit of the report was to investigate what measures are being taken to increase employment opportunities for women from ethnic minorities, including in recruitment, retention and development policies and practices. One of the report's recommendations was that local authorities should promote BAME-identifying individuals to senior positions in primary and secondary schools. Representation at the top of organisations as early as possible is key to improving the systems that are in place.

It is vital that school leaders hire more diverse teachers. Many BAME students, especially those from disadvantaged backgrounds, lack role models and mentors whom they can identify with and look up to in the classroom. That is the classic feature of inequality, and it might explain why BAME students are less likely to get into the Russell group of universities than their white British peers are, despite having equivalent A-level results.

The report notes that the survey responses flagged up a lack of role models, with more than a quarter of students saying that they had no role models. It was staggering to read that one respondent said that most of the people who spoke to them were white men.

There is a severe lack of role models in high-ranked positions for BAME women in Scotland. As

has been mentioned many times in debates in the Parliament, there are no BAME women MSPs. The fact that there have been no BAME women MSPs in the 20 years of devolution is a black mark on the Parliament's reputation, but I hope that it will be corrected in the future. Having such role models who look like they do and who understand their experiences can be a huge motivator to people to pursue a similar career.

Unconscious biases and learned stereotypes are automatic and unintentional, but they are deeply ingrained in our beliefs and have the ability to affect our behaviour. They are a problem that we must address. Unconscious bias often prevents BAME women's progression in the workplace. A survey that was conducted by Close the Gap found that more than 70 per cent of BAME women reported experiencing racism, discrimination, racial prejudice and/or bias in the workplace.

It is clear that we have a great deal of work to do here, and we need to ensure that the issue remains a high priority. We must make more serious progress on it in the next session of Parliament.

I again thank Linda Fabiani for championing such an important cause.

15:17

**John Finnie (Highlands and Islands) (Green):**

I join other members in congratulating Linda Fabiani not just on securing this important debate but on her work, which has brought us to the point at which we can commend the young women lead committee and all those who have been involved for their publication.

Many speeches about the important issue of employment for BAME women are peppered with statistics. We often hear about the dearth of data, which is, of course, an important issue. However, I am interested in attitudes. I know from my previous career in the police how statistics can sometimes be abused and misused. Historically, there have been fundamental misunderstandings to do with gender. Nowadays, there is no excuse for such misunderstandings in the police service, but I am concerned that we should not focus too much on numbers and percentages. We must look at attitudes and real people's lives.

As other members have said, we must acknowledge that, fundamentally, there are a number of power imbalances, not least those relating to the toxic male masculinity that peppers our society and, therefore, the field of employment. Several members have used the term "unconscious bias". It undoubtedly exists, but I fear that it might let some people off the hook, because it is self-evident that conscious bias—

perhaps we should call it bigotry or discrimination—is sometimes at play.

Ironically, such debates are sometimes seen as being a bit problematic because they are niche and deal with equalities, rights, women and ethnic minorities. What we need is a mainstreaming of the discussions that we are having.

"BAME" is a term that is not liked by some. I think that folk are folk, but sometimes we have to group folk together. Another term that is used a lot is "underrepresentation". I want to turn that on its head and talk about overrepresentation. I am from a group that is overrepresented—white middle-aged men are greatly overrepresented, and I have never encountered the glass ceilings that many of the subjects of the report have encountered. To our shame, it is still the case—I hope that this will change in the very near future—that our Parliament has not been blessed, as it would be, with a more diverse representative group.

Everything suggests that these young women have had restraints put on their prospects, and education is key. Other members have mentioned the education recommendations in the report, and those are the ones that I think are important.

I also want to touch on the 2019 Close the Gap research "Still Not Visible: Black and Minority Ethnic Women's Experiences of Employment in Scotland". We must acknowledge the sad truth with regard to BME women that it is highly likely that they are visible but that people can be seen and ignored, which is clearly what is happening. Their presence could be used as evidence of a diverse workforce when it is window dressing of the most cynical sort.

I found the information in the report—not least about the level of racism that young women experience—very illuminating. We know that, if someone experiences racism, all the other injustices such as discrimination, prejudice and bias will flow from that. We might think that we are all Jock Tamson's bairns, but we have a way to go with regard to racism and misogyny.

It might sound as though I am being negative, but I think there is a lot to be positive about, not least of which is the energy that has been a contributing factor to the report.

We know that there are still issues in workplaces and that procedures are not great at resolving issues. As I have said, we should focus on the education section of the report. The motion

"notes the calls for the report's recommendations to be considered in an effort to improve outcomes for everyone affected so as to create a fairer, better Scotland for all."

I hope that that is very much the case. It is the very least that we can do.

15:21

**The Minister for Business, Fair Work and Skills (Jamie Hepburn):** Presiding Officer,

“They don’t want to be known for being BAME, they want to be known for the person they are and for the skills that they bring”.

Those words, lifted directly from the young women lead report that we are discussing, highlight the importance of the issue. At the heart of what we are discussing is that we must all ensure that we recognise the talents, celebrate the diversity and utilise the unmatched skills of our young minority ethnic women, and value their contribution in the workplace. I thank young women lead Scotland, the young women’s movement, and of course, Linda Fabiani for the excellent, thorough and welcome report. I also thank Ms Fabiani for bringing the debate to the chamber.

The report highlights key challenges, as exemplified by the international engagement undertaken by Linda Fabiani and those who were involved in compiling the report. We know that those challenges are not unique to our country, but they are challenges that we must address with some urgency. Everyone should have equal opportunities to gain fulfilling work that is fair, develops their skills and talents, values them and rewards them properly.

We know that the employment rate of the minority ethnic population in Scotland is lower than that of the white population, and the latest data shows a minority ethnic employment rate gap of 13.1 percentage points. That gap is wider still between minority ethnic women and white women.

A range of factors contribute to that, and many of them have been alluded to today, but we know that minority ethnic women often face barriers that can hinder their career prospects because of the intersection of their ethnicity and their gender, a point that Close the Gap has made to me many times.

The report makes a number of important recommendations in the areas of education and employment. It rightly calls for more to be done in schools to increase awareness and uptake of science, technology, engineering and mathematics subjects. That is why, through our STEM strategy, we are changing perceptions about STEM and challenging assumptions about who does what job. Education Scotland’s dedicated gender balance and equality officers work with schools to tackle gender bias, and to improve gendered participation and subject choice. Up to December 2020, they have engaged with 512 schools and held more than 4,900 engagements with practitioners.

More widely, we are refreshing our youth employment strategy, developing the young workforce, to reflect the adverse effects of the Covid-19 pandemic on Scotland’s young people, and aim to ensure that all young people have equal access to all opportunities on offer. As part of that, we are rolling out DYW school co-ordinators, who will provide support for young people from minority ethnic communities. We will work closely with Intercultural Youth Scotland so that their ambassadors can work with school co-ordinators in order to ensure that minority ethnic young people are supported in the choices that they make.

Representation in our schools is of course also extremely important. We are committed to doubling existing teacher numbers by 2030. We have pledged to champion diversity in Scotland’s education system, by developing bespoke mentoring and pathways for educators from minority ethnic backgrounds.

On careers advice, we understand the importance of good-quality and consistent advice to the development of young people’s aspirations. As we make our way out of the pandemic, the importance of that advice will be crucial in giving young people opportunities to develop their future careers.

Ruth Maguire highlighted that the report brings out negative experiences that some young people have faced in accessing careers advice. Although the report acknowledges some of the measures that are in place, and the progress that has been made, one negative experience is one too many. I am committed to working with our partners, in particular with Skills Development Scotland, to understand what further measures we can put in place to deliver our vision that everyone should have access to a world-class, professionally led, aligned and flexible system of careers support services that deliver for every citizen regardless of where they live in Scotland, their age or circumstance.

On employment, we have announced a range of measures to support those who are most disproportionately impacted by the pandemic. Our £60 million young persons guarantee will benefit minority ethnic young people. They will be central to the design and implementation of the guarantee, to ensure that the issues that matter to them are properly reflected in the work that we take forward. We are working with organisations such as Intercultural Youth Scotland to ensure that young people are meaningfully engaged as we implement the guarantee.

I am determined that we do more to understand and address the multiple barriers that young minority ethnic women face, which are at times coupled with discrimination, whether that be

unconscious or overt. That is why, as we review our developing the young workforce programme and implement our young persons guarantee and various other priorities across Government, we will reflect the voice of those whom we want to benefit from the work that we are undertaking. On that, I say to Linda Fabiani and others that my officials from the young persons guarantee division in the Scottish Government have contacted the young women's movement to set up a meeting to discuss the report and how it might affect and inform the young persons guarantee.

More widely, our workplace equality fund continues to support a range of organisations to become more diverse. In 2019-20, and to the tune of £800,000, we funded 25 projects, of which 13 provided targeted support to minority ethnic people. One project, led by Adopt an Intern, involved job-seeking black and minority ethnic women in speaking to companies, so that employers could hear at first hand about the barriers to work that are faced by that group.

More recently, our minority ethnic recruitment toolkit, which was published in September, will give advice on the importance and use of workforce data to help determine approaches for recruitment campaigns. That will help employers to create more diverse workplaces that are properly reflective of the communities that they serve.

Those actions are designed to make a difference, but I am clear that we must go further still. That is why we have outlined a range of commitments that we will be taking forward in response to the Equalities and Human Rights Committee's inquiry and findings on race equality, employment and skills. I thank Ruth Maguire and her colleagues on the committee for the work that they undertook on that.

If we truly want a diverse Scotland that realises all the talents of all our people, it falls not just on the Government. There must be a cross-societal effort to make the difference that we so desperately need to see. To return to Linda Fabiani's point, I intend not that we should simply tick boxes, but that we should open doors and effect real change. I will continue to listen to and work with partners and, collectively, we can—and we will—ensure that Scotland is a fair work nation for each and every one of our citizens.

## Drug Deaths

**The Deputy Presiding Officer (Lewis Macdonald):** The next item of business is a members' business debate on motion S5M-23613, in the name of Monica Lennon, on Scotland's drug deaths crisis. The debate will be concluded without any question being put.

### *Motion debated,*

That the Parliament considers problem drug use across the country, including in the Central Scotland region, to be a national public health crisis; believes that every life lost to drug and alcohol misuse is a preventable tragedy; notes the views that more action could be taken at a national and local level to prevent this, that funded access to residential rehabilitation must be widened so that people who feel ready have better options into treatment and that recovery and overdose prevention work, including safe consumption facilities, is vital to harm reduction, and further notes calls urging the Lord Advocate, the Crown Office and Procurator Fiscal Service, Police Scotland and all levels of government and health authorities, to take immediate action to prevent further deaths, reduce stigma and ensure that people who are dependent on substances have access to healthcare and support services, in a way that respects their right to life and health.

15:30

**Monica Lennon (Central Scotland) (Lab):** I am grateful to colleagues on all sides of the chamber who signed the motion and made it possible for the debate to happen. I am also grateful to those members who are going to speak in the debate, and I look forward to listening to their contributions.

This is the third motion on substance misuse that I have lodged for a members' business debate since I joined the Parliament in 2016. The first debate was in 2017 and the second was in 2019—and now here we are again, debating Scotland's drug deaths crisis. Our drug death rate is now the highest in Europe.

Words do not feel adequate in response to this humanitarian crisis. For years, recovery activists in Scotland have been telling us politicians, "You keep talking, we keep dying. You keep talking, we keep dying." Tragically, to our collective shame, they are right. Just before Christmas, following a six-month publication delay, it was finally confirmed that 1,264 people had died in drug-related deaths in 2019. That was in one year alone—it is the highest yearly rate on record. The loss of life from drugs has doubled in a decade.

I put on record my condolences to everyone who has lost a loved one. Behind those grim statistics are real people. They were our mothers and fathers; our husbands, wives and partners; our sons and daughters; and our grandchildren, nephews, nieces and cousins. They were our friends, neighbours and colleagues. In their

memory, and to show respect to all who have died, I would be grateful if colleagues would join me in observing a minute's silence of remembrance.

[*Silence.*]

Thank you, colleagues.

We have agreed many times in this Parliament that such deaths are preventable. I welcomed Angela Constance to her post as Minister for Drugs Policy last month, and I do so again today. She has been tasked with a critical job, and I know that she is determined to use the time that remains in the current parliamentary session to maximum effect.

I also acknowledge the work that was undertaken by Joe FitzPatrick in his role covering the broader portfolio of public health, wellbeing and sport. I believe that it is right that Joe left his post to allow for fresh leadership, but I want to put on record that his sincerity was never in doubt. I hope that the positive changes that he made, including the work to reduce stigma, are built on.

However, the First Minister has admitted that the Scottish Government's record on and response to Scotland's drug deaths crisis is unacceptable and inexcusable. That a minister has been given a very specific and narrow responsibility for drugs policy is very welcome, but it must be backed up with hard cash and a step change across Government. That means no more silo working, no more passing the buck and no more wrong doors. The response to this humanitarian crisis needs a comprehensive public health approach through which person-centred support is available 24/7. That has to be for people who live with substance misuse and, crucially, their families.

On that note, I was pleased this week to see Scottish Families Affected by Alcohol and Drugs receive funding to run the families as lifesavers project. Lack of money and resource for statutory and third sector services has not been the only driver behind the increase in Scotland's drug deaths, but it is a major factor. Services are running on shoestring budgets. Rehab beds have closed, including on the First Minister's own doorstep. It has been left to friends and families to pick up the pieces too many times. Some £20 million is required right now for residential rehab, as an absolute minimum.

This morning I spoke to Annemarie Ward, the chief executive officer of Faces & Voices of Recovery UK, or Favor UK. That organisation gave a report with 23 recommendations to the Scottish Government over a year ago. I am pleased to hear that the minister will meet Favor in a few weeks' time. I asked Annemarie Ward what the new minister needs to do, and she said, "Help

people get well." We need to give people the opportunities to get well and the opportunities to get off drugs. The reality is that too many people are met with a boarded-up door or a waiting list as long as your arm.

Last year, before the lockdown in March, I went to the Castle Craig residential rehab clinic in the Borders and to Abbeycare Scotland in North Lanarkshire. I met staff who had previously been service users and who, when they had felt at rock bottom 15 or 20 years ago, had been able to go to their general practitioner, ask for help and, in a matter of days, enter residential treatment and rehab. In Scotland, over the years, that opportunity has become available to fewer and fewer people.

Everything that needs to be said about what a public response to this emergency should encompass—an emergency that is rooted in poverty, trauma and inequality—has already been said. It has been debated here and elsewhere many times. I am not going to repeat it all now—the answers are already on the minister's desk. I would be grateful if the minister would outline what immediate action she has taken already and will take in the weeks ahead to ensure that there is a full spectrum of harm reduction, recovery and prevention interventions. We owe it to those who have died and those who are fighting for their lives today to finally treat this emergency with the seriousness and the budget that it deserves.

15:38

**Ruth Maguire (Cunninghame South) (SNP):** I thank Monica Lennon for securing the debate, and welcome the Minister for Drugs Policy, Angela Constance, to her new role.

Three quarters of all drug-related deaths have been in five health board areas: Greater Glasgow and Clyde, Lanarkshire, Lothian, Tayside, and Ayrshire and Arran. Ayrshire and Arran is one of the health board areas with the largest increase in drug deaths over the past decade.

Far too many lives of friends, family members and neighbours have been lost. They were important lives—lives that mattered. It is important to recognise that a lot of good work is being done by good people who are doing their very best, although there is more for all of us to do—in particular, politicians and policy makers.

For complex issues, a person-centred approach has the best chance of being successful. Provision that is truly person centred will meet people where they are, recognise barriers in their way and remove them, and understand and act on the fact that substance addiction is a symptom of wider difficulties, for which it will also identify and provide support. A person-centred approach cannot only be words on a policy document or action plan—it

must be the reality for our citizens who need help. Our actions and the experience of our people and their families who require assistance must match the fine words.

I have raised before the matter of punitive sanctions regimes that exist in treatment services. I acknowledge that sanctions in treatment and recovery are not advocated by the Scottish Government, but that has been, and might well remain, the experience for people who try to access help.

I recognise the need for local flexibility and responses, but the sharing across Scotland of knowledge, skills, procedures and processes that work must increase and improve at pace. There is good life-saving work happening. If housing officers in North Ayrshire can, as they have, save lives by administering naloxone, that should be possible across Scotland. If drop-in access and same-day prescribing can be offered and can work in one part of the country, what on earth can be the logic, reason or justification for them not being available to everyone who needs them?

I know that outcomes and measures are important to policy makers and suggest that if it remains easier to buy a dangerous street drug than it is to get help and support, we should consider that to be a measure of failure.

Lives are being saved and services are being delivered now by kind and compassionate workers and volunteers, who will be in pain and distress at the tragic loss of life. Importantly, we also have in our communities people who are in recovery who are supporting their peers to have hope and purpose in their lives. Let us listen to all of them, and not only to the people and organisations who are already plugged in to the system and are frequently consulted and engaged with and who speak our language. Let us listen to the challenging and uncomfortable voices that push us all and show us the reality for our citizens, and not only to the policy intentions in our strategies and action plans.

Most important, let us act with urgency and immediacy—the same urgency and immediacy to save lives that we acted with at the start of the pandemic. We have shown what can be done. We know what needs to happen to save lives, so I say, frankly, shame on all of us if we do not get on with it.

15:43

**Neil Findlay (Lothian) (Lab):** I congratulate Monica Lennon on bringing forward the debate, and I welcome the minister to her post.

This debate should have been held in Government time, because the drug death crisis is

our national shame. It is a collective failure of Government, public bodies and political leaders over the entire duration of the Parliament's existence and beyond, and it has accelerated in the past decade to the point at which we have the worst drug death record in the developed world.

I have made speech after speech in debates such as this for years, and the only thing that changes is that the situation gets worse. In the short time that I have, I will make only positive suggestions in the hope that the minister—indeed, any minister—might take on board some of what I suggest, all of which is based on having spoken to friends, family, neighbours and constituents who have gone through addiction, whose family member has gone through addiction or who work in the field.

First, can we agree that the war on drugs has been an abject failure? There are more drugs and more deaths than ever in our history, so it is time for a new approach. The impact of drugs is a class issue, because the greatest impact is on the poorest communities; without a serious concerted change of Government policy that sees those communities receive a disproportionately high level of public investment, change will not come.

Although pharmacological intervention for substance misuse can be required, the socioeconomic factors that drive substance misuse and drug-related deaths have to be addressed. Can we agree that we should stop jailing people because of their illness and instead address their conditions through treatment, with a range of options being made available, based on their wants and needs? Can we agree to stop discharging people from prison or hospital on to the streets with no support, treatment, care plan, home or hope? Those people fall out of the system and end up dead.

Can we also agree that the current services that are available to people who want to end their drugs use are completely inadequate, and that we need comprehensive services to meet different needs? Of course, methadone might be part of the solution, but many more people want to be free of illicit and prescription drugs. That is their objective, so we need services that allow that to happen. However, we need a human rights approach that is fully embedded within all services, and we need acknowledgement that rights holders can hold duty bearers to account and that services for the cocaine and benzos crisis are nowhere near adequate and must be addressed as a national priority.

We must follow the example of progressive police and crime commissioners across the UK who have, under the same legal restrictions as Scotland, been using a wide range of measures to

reduce deaths and addiction, to improve public health and to divert people from prosecution.

Can we agree to reinstate the money—and more—for every cut that has been made to the drugs and alcohol budget, and stop insulting the memory of those who have died by claiming that there have not been any cuts? Given the crisis, we need to ring fence that money so that it cannot be diverted to the people who are the worried well.

Can we agree that the Government can and will act to end police involvement with the Glasgow overdose prevention van, and that such facilities should be rolled out in communities where people are dying?

Can we agree to hold to account the bodies and agencies that have been funded year on year to address the situation? If they have failed, we should take the funding from them and fund new effective provision, and ensure accountability and appropriate governance arrangements.

Can we understand what we are spending money on, what the cost of treatment is and the real number of people who access treatments? Can we agree to undertake a full assessment of local needs based on accurate data?

Finally, will the minister agree to initiate an immediate independent review to look at the experience of decriminalisation of all drugs in other countries, which have had similar problems to Scotland's?

I could say more, but I have no time to do so. However, I say to the minister that my door is open and that I will work with her on any of that, because the matter is far too important for it to be a party-political bun fight. I know that colleagues who want to speak in the debate would also work with her.

15:48

**Stuart McMillan (Greenock and Inverclyde) (SNP):** I thank Monica Lennon for bringing the debate to the chamber. Although the motion talks about central Scotland, I will focus my comments on Inverclyde or Scotland rather than central Scotland, which is not my area.

I refer members to my entry in the register of members' interests: I am a member of the management board of Moving On Inverclyde, which is a local addiction service.

I welcome Angela Constance to her new ministerial position and I wish her well in that challenging role. I thank Joe FitzPatrick for his efforts and for the creation of a drug deaths task force, which I am sure will prove to be a vital addition to dealing with the crisis as we move forward.

The latest figures for 2019 must be a wake-up call for every politician but also for society. Tough decisions need to be taken; the souls of 1,264 people need to force every one of us and every politician to look at every policy and delivery model to see whether it is doing enough. It is essential that those 1,264 deaths tell us to look at the gaps in policy areas. I must emphasise to colleagues that that is not a constitutional point. Some of the policy gaps may be in devolved areas, although some may be in reserved areas. Fundamentally, every policy area must be on the table for discussion.

Sadly, Inverclyde is behind only Dundee and Glasgow, respectively, with regard to drug deaths: 33 of my constituents died as a result of drugs in 2019, which was almost a 50 per cent increase on 2018. It cannot continue. If we consider the three areas with the most deaths, it is clear that social justice is a key issue in the extent of drugs deaths in Scotland. Poverty, deprivation, unemployment and industrial decline are reasons behind many—although not all—drug deaths. It is also a fact that many more deaths are of older drug users.

On 15 December, the BBC wrote:

“During the 1980s and 90s there was a significant increase in problem drug users in Scotland, which peaked about 20 years ago.

There is now an ageing population of drug addicts, mainly men, who have been using heroin for decades.”

We already know this. Clearly, it needs to be highlighted time and again. If we can sort out some of the social justice and equalities issues, we can give drug users and communities a better chance for the future.

I would like to see a few things considered as we try to deal with the national crisis. First, Inverclyde is not included the naloxone pilot that is under way in Dundee, Glasgow and Falkirk. All three areas cover different health board areas, and Inverclyde should be included because of our current situation. Secondly, third sector organisations that are more successful in helping people with drug addictions should be considered for direct funding. Thirdly, an increase in the number of people going to residential detox facilities is important. I have spoken to many people about that in the past.

Fourthly, the introduction of drug consumption facilities is essential. Emma Harper and I met Peter Krykant outside the Parliament only a few weeks ago, and I have become even more convinced that such provision will help many more people and communities. Fifthly, further analysis of local alcohol and drug partnerships is essential. Inverclyde has had a major change of direction over the past 18 months, and I hope that that change will save more lives in the future.

There are many more things that I would like to discuss, but time is short. I am keen to discuss issues with the minister directly if her diary allows that.

15:53

**Brian Whittle (South Scotland) (Con):** I thank Monica Lennon for giving us another opportunity to discuss this continuing crisis—death from drug and alcohol misuse is a crisis in Scotland. The current rate is the worst in the world per capita and is three times that of the UK. The drug deaths rate more than doubled between 2008 and 2018, and it shows no sign of slowing down.

From the outset, I want to highlight that there are two sides to the issue: treatment for those caught in addiction and the creation of an environment in which addiction is avoided. I will speak about the link between deprivation and addiction, which is an issue that I have been working on for some time. Children who are born in the most deprived areas are three times more likely to die before they are 25. That undoubtedly correlates with increased alcohol and drug abuse, coupled with suicides.

In 2019, I joined the Scottish Affairs Committee at Westminster for its investigation into Scotland's drug issue. The committee concluded that deprivation does not directly cause addiction and that the links between poverty and drug misuse are complex. The main mechanisms that are described as credible links between deprivation and problem drug use are weak family bonds, psychological discomfort and personal distress, low employment opportunities and few community resources. Once someone has a drug problem, they also have more limited means of escaping poverty—the chance of obtaining paid employment is much reduced, and having a criminal record, lacking an employment history and the stigma of having or having had a substance problem all play a part.

To me, it stands to reason that resources should be allocated prior to people becoming addicted. Surely, that has to be the most cost-effective investment. Put simply, we know where the areas are, so we can ensure that the solutions and investment are targeted. If there are fewer community resources in those areas, resources should be developed to fit the communities.

The Scottish Drugs Forum found that there is a significant connection between poverty and personal factors that increase the likelihood of problem drug use. Such factors include adverse childhood experiences; poor engagement with, or outcomes from, educational services; poor engagement with health services; early

engagement with the criminal justice system; imprisonment; and homelessness.

According to the conclusions from the conference "A Matter of Life and Death", which was attended by some 110 organisations that are associated with the prevention and treatment of drug and alcohol misuse, the main causes of drug and alcohol misuse include marginalisation and exclusion; a lack of social structure; poor relationships; a lack of protective factors; self-medication associated with masking the pain of previous trauma; stigma; self-deprecation; barriers to achievement; and homelessness. Deprivation and inequality make those factors more acute and can lead to a situation in which it is less likely that a person can access quality treatment and help. They also mean that a person might lack access to general community services, have an unmet complex health need and lack an effective support structure.

Between 2008 and 2018, the number of rehabilitation beds was cut drastically from 352 in 22 facilities to fewer than 70 in three facilities. Those cuts must be reversed, and quickly. That is a key ask of the Scottish Conservatives.

We have to invest in rehabilitation hubs, which pull together the resources of the NHS drug and alcohol partnerships and the third sector. As others have mentioned, the third sector is fragmented and underfunded. Organisations spend far too much time scrapping with one another for limited funding pots.

Many of the hardest-to-reach people in our society who are caught by the scourge of addiction are from the most deprived areas. They are also the least likely to engage with services in a medical facility. They are, however, more likely to work with third sector agencies in the community with which they can identify and take the time to build a trusting relationship.

From my interaction with services such as recovery enterprises in my area, I know that their work provides the best route for the most vulnerable, but that work is done on a shoestring budget. Once that relationship is created, there is the potential to offer medical interventions on the premises from healthcare professionals, welfare officers, housing officers and so on. In other words, we should bring services to those people.

In the hubs, there should be the option of rehabilitation beds, cafes and professional advice. Mental health services should be offered as an integral part of rehabilitation services. Given that drug misuse is so prevalent in prison communities, pathways from prisons into communities have to be created. There should also be an increase in the number of needle exchange programmes, with

a view to reducing the number of cases of HIV and eradicating hepatitis C.

Those actions are all within the competence of the Scottish Government, and we know from those on the front line that they can have a significant impact on addiction. We cannot hide behind constitutional disagreements. The Government's calls for changes in the legal framework would be more viable if it was prepared to make use of the substantial powers that it currently has at hand.

Those actions will require significant resources and attention, and that focus is long overdue. As Neil Findlay said, many of us who have been consistently involved in such debates would put party politics aside and work with the minister to develop a strategy. I ask the minister to please take us up on that offer.

15:58

**Emma Harper (South Scotland) (SNP):** I welcome the opportunity to speak in the debate and thank Monica Lennon for securing it.

I congratulate Angela Constance on her appointment as the Minister for Drugs Policy, and I look forward to meeting her to explore options to address drug misuse in rural areas such as Dumfries and Galloway in my South Scotland region. I have no doubt that her Government experience and prior work will be hugely beneficial in her new role. I also thank Joe FitzPatrick for his previous work.

I agree with the motion and the Government that the drug-related death figures that were published in December are unacceptable. We need to move at pace, with new and innovative person-centred approaches, to better deal with problem drug use in Scotland.

As the deputy convener of the Health and Sport Committee, I had the opportunity, in 2019, to participate in the Scottish Affairs Committee's inquiry into drug-related deaths. All the witnesses to the inquiry said that urgent reform is needed to solve the issue of drug deaths in Scotland. The inquiry heard from experts from Portugal, Germany and Canada in order to examine evidence from international examples of countries that are taking a progressive public health response, and not a punitive approach, such as jailing people, as Neil Findlay described. A progressive public health approach is what we need to tackle harmful drug use. The inquiry found that levels of drug deaths and addiction in those countries have reduced significantly, including, in Canada, by as much as 40 per cent.

The inquiry recommended that the carrying of personal amounts of drugs should be decriminalised. It also recommended that the UK

Government urgently legislate to devolve power to the Scottish Parliament to allow it to deliver its own approaches, including the establishment of safe consumption facilities in Scotland. Such reforms would, for example, help people such as Peter Krykant, whom I met outside Parliament before Christmas, as Stuart McMillan mentioned. All Peter wants to do is support people who have problem drug use that is causing them harm.

The Scottish Affairs Committee's findings remain important, and I am keen to hear the minister's thoughts on the inquiry recommendations, especially since the UK Government has completely ignored them all. It would be good if all Governments worked together to save lives.

Today, I spoke with Grahame Clarke from the Dumfries and Galloway alcohol and drug partnership. Grahame described a number of actions that are already in place locally and nationally. He and his team should be thanked for all their work. The actions include the national naloxone programme, the distribution of take-home naloxone kits, which are used to prevent fatal overdoses of heroin-based drugs, and making nasal naloxone available to Police Scotland and drug support groups.

Grahame also described assertive outreach following non-fatal overdoses, which involves engaging, treating and offering support in relation to housing, food, social security, child and adolescent mental health services, recovery cafes, recovery communities and even apprenticeships and independent living. All of that sounds to me like joined-up, not siloed, working. It is all good work.

The Scottish Government has also implemented the drug and alcohol information system, which commenced on 1 December 2020 and provides key information on the impact of drug and alcohol treatment services.

All the actions that are being taken to address the issues, especially stigma, are important. Tackling stigma is one of the actions that Grahame and his team have taken forward in Dumfries and Galloway, and it is hugely important.

I ask for a commitment from the minister that any policy approach will ensure that rural parts of Scotland are considered, listened to and included. I welcome the swift action that the First Minister and the minister have taken on the issue since her recent appointment.

Grahame Clarke told me today that getting help to those who are most at risk, not only at the time of crisis but through recovery and support, will reduce the number of deaths of our fellow citizens in Scotland. I look forward to supporting progress

and to the achievement of better outcomes in future.

16:03

**Alex Cole-Hamilton (Edinburgh Western) (LD):** I am grateful to Monica Lennon for securing time for the debate, and I, too, welcome the new Minister for Drugs Policy to her place. It is a desperately important role—she knows that, because she knows the figures.

We have had record numbers of deaths for years. Since the start of this parliamentary session, 4,253 people have died from a drug-related death. Scotland's drug-related death rate is more than 3.5 times that of England and Wales or, indeed, anywhere else in Europe. Scotland is quite literally off the charts.

There has long been fatalism in the discussions around Scotland's drugs death crisis. We say that these people are not well, that there is little that anyone could have done and that it is the unavoidable and inevitable legacy of ageing drug users and a so-called "Trainspotting" generation, as Stuart McMillan mentioned. However, those excuses are cold comfort to the families of the 1,264 people who died in 2018, of whom 76 were under 24—a figure that has doubled in two years—and 677 were between 25 and 45. People are dying three, four and five decades earlier than they should. Every death is preventable.

At the outset of this session of Parliament, ministers described the situation as a legacy of misuse that stretched back for decades, but at that same moment they chose to make a devastating 23 per cent cut to drug and alcohol partnership budgets. That cut amounted to £1.3 million per year in our nation's capital alone, and services and expertise that people relied upon were surrendered. The impact of that is still being felt, and we see the selfless acts of private citizens such as Peter Krykant, who are unwilling to see that gap go unfilled.

The cut was preventable. On the day that that Scottish budget was passed, Willie Rennie was the only person to appeal for a rethink. The tragic truth is that Scottish ministers did not see drug reform as a vote winner. Kenny MacAskill, who was Cabinet Secretary for Justice for seven years, including at the time of the independence referendum, acknowledged that. Writing in 2017, he said:

"Silence may have been understandable when the referendum was on-going. Now it is simply cowardly as tragedy unfolds."

I repeat:

"Silence may have been understandable when the referendum was on-going."

Tell that to the families.

It is time to put recovery first. I ask the new drugs minister not to shy away from the mistakes of the past, but to own them. I know and like Angela Constance, and I am confident that she will do that. We must be able to talk openly about what is missing if we are to talk about what must now be done. I ask her to look again at our long-held proposals, including those that the Government voted down last January. We should look again at the Portuguese model: we are leagues behind our European partners' best practice and what is now mainstream evidence of what works.

We need political support for the principle of diversion for people who are caught with drugs for personal use. We need support for those routes to be created—the use of imprisonment in such cases should cease. Let us look at what can be done by using the powers of the Lord Advocate. We should follow the Thames Valley Police, North Wales Police and Durham Police pilot schemes. We ought to plan for a Scotland-wide network of heroin-assisted treatment and look at why families are having to self-fund residential rehab. We must commit to protecting drug partnership budgets.

I also want to see change at the UK level. It is a matter of public record that I support extending the Scottish Government's involvement in the development of a UK-wide policy framework on drugs. The Scottish Government cannot use the constitution to avoid the conclusion arrived at by the Scottish Affairs Committee. There is undoubtedly more that it can do.

I look forward to working with the new minister.

16:07

**Bob Doris (Glasgow Maryhill and Springburn) (SNP):** I thank Monica Lennon for securing a crucial and timely debate and I welcome Angela Constance to her post. I look forward to working with her and I thank Joe FitzPatrick for his years of service.

As other members have said about their communities, my constituency has been blighted for too many years by drug-related deaths. The numbers continue to increase. That has had a scarring effect. This is about not only a tragic loss of loved ones, but the consequences for and impact on the families left behind that can last a lifetime.

The debate is an opportunity to again record my belief that we need far more rehab facilities in Scotland. I have called for that in the Parliament on several occasions. Before I say more about that, I acknowledge that there are many pathways to recovery. I welcome the community supports that exist and want to give a special mention to

Sustainable Interventions Supporting Change Outside, which is very active in my constituency. I look forward to a hoped-for meeting with the minister, SISCO and Anne McLaughlin MP in the coming weeks.

I also welcome the heroin-assisted treatment that exists in Glasgow. I know that that is relatively small in scale, but I hope that it can be expanded and rolled out across the country. I also acknowledge the substantial efforts of Peter Krykant, whose work on overdose prevention and safe consumption facilities in Glasgow has already been mentioned.

Safe consumption facilities save lives. It is clear that if drugs legislation were altered, or were devolved to this Parliament, NHS Greater Glasgow and Clyde would be ready to deliver a purpose-built service. That is not a constitutional point. I am merely stating that the health board is ready to roll out that service. That said, I look forward to hearing from the minister about how we can resolve the current legal deadlock, which puts a man with a van who simply wishes to save lives at risk of conviction. That does not seem right to me.

I said that I wanted to look at residential rehab. It is simply not possible to offer the range of treatment options and supports for people who are living with addiction within the extent of the rehab beds and facilities that we have in Scotland just now. The Scottish Government's short-life working group via the task force has shown that there are only 365 beds in Scotland, of which 100 are for people not normally resident in Scotland. Of the people who are in those beds, 36 per cent are self-funded, 27 per cent are funded through social security and charities, 22 per cent are funded through private insurance and only 13 per cent are funded through alcohol and drug partnerships. That does not seem right.

Of the 1,340 estimated starts for people in rehab beds in the last year that we have figures for, 830 were people who were normally resident in Scotland, which contrasts with 40,000 alcohol and drug treatment starts over that same period. Of those 40,000 treatment starts, only 830 looked at rehab as part of their treatment options, which is 5 per cent of all referrals. In Europe, the figure is around 11 per cent, so we need a doubling of the rehab opportunities in Scotland, at the very least.

The short-life working group also said:

"A review of the evidence in 2017 ... found that although seen as expensive, residential rehabilitation's initial costs are to a large extent offset by reductions in subsequent healthcare and criminal justice costs."

I do not mention that in relation to the economic argument for rehab beds. It is more about the fact that people who have healthcare and addiction

issues should not have to go through the criminal justice system time and again. Too many of them are unfortunately ending up dead.

There are positive signs of change, although not fast enough, clearly. The new prison to rehab pathway for people leaving custody is in its early days. There has been £150,000 of investment, but only eight people have been through that service so far. It has to be upscaled and rolled out more widely. I read about the Scottish Recovery Consortium, which is developing a mixed community and rehab model aimed at people who have survived overdoses or who are at high risk of overdosing. I do not have any numbers for that minister, so I would like to hear much more about it and how it can be upscaled.

When we look at the success of rehab, the Government work was only able to get five facilities to provide figures. The number of people who completed rehab periods for their stays ranged from 24 to 88 per cent at the different facilities. That is a dramatic range. However, it was unclear for what length of time individuals were staying within facilities or what additional community support pathways existed, depending on where individuals were. What was clear from Phoenix Futures was that 92 per cent of people in residential rehab had significant emotional and mental health issues, so the wraparound help and support of residential rehab is just part of that solution.

My apologies—I can see that we are pushed for time. I finish by saying that there are still many gaps in information from the mapping exercise that the Scottish Government conducted on residential rehab, but we cannot take the time to do a second mapping exercise. We have to upscale now and put significant additional residential rehab facilities in place, perhaps nationally and funded nationally, and we should allow alcohol and drug partnerships to bid for beds in those national facilities, if required. If that national network was put in place and ADPs were not referring people who would benefit from that treatment, we would have to ask why and make it happen.

**The Deputy Presiding Officer:** The last speaker in the open debate is John Finnie.

16:14

**John Finnie (Highlands and Islands) (Green):** I join others in thanking Monica Lennon for bringing this important debate to the chamber. I also thank Joe FitzPatrick, the former minister, and welcome Angela Constance to what is clearly a challenging post. I am sure that she is up to it.

I will quote variously from the motion, which mentions a "national public health crisis". It is unquestionably that; and as others have said, it is

not only the preserve of the urban central belt. It also affects rural communities in a devastating way and

“every life lost ... is a ... tragedy”.

The motion also says that

“more action could be taken at a national and local level”.

Undoubtedly it could, although, as other members have said, some great work has been done.

The problem, to my mind, is that drug deaths are not a priority for many of our constituents. Sadly, many of them view such deaths as an inevitable consequence of the actions of some unclean criminal underclass. We all know that that view is not only deeply offensive, but wholly inaccurate. However, it plays into the wider public discourse on the debate, so I welcome the element of the motion that discusses addressing stigma, as a number of members have done.

The motion says that

“funded access to residential rehabilitation must be widened”.

Of course, although I am concerned about some of the discussion on that from some quarters—certainly not from the author of the motion—including quaint notions of curing people in residential establishments and of “out of sight, out of mind.” Residential treatment is important, but it is one of a range of treatments that should all be available and all be properly funded. The debate is all about treatment, recovery and on-going support; it is about understanding addiction and understanding the support for the lapses that will inevitably occur.

Patrick Harvie co-signed with me a letter to the Lord Advocate about the case that many members have alluded to, concerning a gentleman in Glasgow. Although I did not expect a detailed response in respect of that particular situation, I commended to the Lord Advocate the practice that his predecessors had adopted in relation to the public interest approach when instructing prosecutors regarding instances that were contrary to the clear legal position of the day. I cited the situation of consensual homosexual sex.

The Lord Advocate’s predecessors were rightly lauded for adopting a bolder emphasis on prosecuting in the public interest, and I commended that same approach. I got a reply from the Lord Advocate yesterday. He obviously could not comment on the specific case, but he had published prosecuting guidelines in relation to the use of naloxone, which some members spoke about earlier. He said:

“It will be clear to you that what I have described is quite different from providing a statement of prosecution policy of general application”.

I am sorry, but it is not quite clear; I think that it does create a precedent that should be built on.

That is a very frustrating point, given the limited time that we have, but I wish to say that our obligation as legislators is to understand whether there is a legislative problem that needs to be addressed. There is a legislative problem: UK drugs legislation, which is focused on the long-discredited money war on drugs. A headline in a satirical magazine said, “Drugs Win Drug War”. The legislation is part of the problem; it is certainly not the solution. The legislation is reserved and, if people want to think of the issue as a constitutional one, that is fair enough—they can do that—but that is not what it is about for me. We should be doing our very best to address a situation and, if the legislation is a problem, as I believe that it is, then we must legislate, pushing the boundaries and, indeed, the competence of the Parliament. Or we can just sit and await the next series of grim figures.

We rightly marked the deaths with silence, but I suspect that I am not alone in wanting to scream out in anguish at the situation that we find ourselves in.

My time is up. I wish the minister well and, like others, I am happy to work with her.

16:18

**The Minister for Drugs Policy (Angela Constance):** Every day in Scotland, three of our fellow citizens—someone’s brother, sister, son or daughter—die from a drug-related death. I put on record my condolences to all families who have lost a loved one. Those deaths are both tragic and preventable. I thank Monica Lennon for securing this critical debate, and I thank all members who have participated for their contributions, commitment and suggestions. I will indeed be taking members up on some of their offers.

I am happy to meet Stuart McMillan, Emma Harper and Bob Doris, and I have many meetings already arranged with MSPs, councillors and MPs from across the party-political divide.

I am crystal clear that, to save lives, we need to do more, we need to do better and we need to do it faster. As a pragmatist, I will always focus on what I can do as opposed to what I cannot. The first thing that I did as Minister for Drugs Policy was to meet people with lived experience, and that will not be a one-off event. Ensuring that the voice of real-life experience informs every step of our journey was crucial in the work that I was involved in when I was last in the Government: social security, homelessness and child poverty. Those with lived—and living—experience and their families will be at the heart of our national mission.

I am glad that Monica Lennon recognised the support that we have given to the families as lifesavers project. I will hear from families who have received too little, too late. I will also hear from parents who are worried sick about receiving that phone call or knock on the door. I will hear, too, from survivors who are in recovery or treatment. I am determined to find the best way to reach out to those who currently live with drug addiction but who are not in treatment or engaged with services. Being in treatment is a protective factor. My focus will be on getting more people into treatment that is right for them, particularly those who are hard to reach and most at risk. We must remove barriers to people accessing treatment and obstacles to their remaining there.

I want to build consensus both within and outwith the Parliament. That will not necessarily be comfortable or cosy, and it most certainly will not be complacent; it will be about challenging ourselves and each other on the basis of what works. I will learn from experience, evidence and research, regardless of whether it has been done at UK, European or international level.

We need a spectrum of services and approaches that will respond to this public health emergency, reduce harms and promote the right route to recovery for each individual—nothing less than the right treatment at the right time. We need to have a culture of change and compassion to ensure that services are responsive, flexible and people centred.

We do not need to wait around for evidence; we can gather it in action. As well as doing things differently, like Ruth Maguire I want to scale up work that already has promise. The drug deaths task force, which the First Minister and I met this week, has tested and led the way on life-saving emergency treatments such as naloxone. I have met a father who told me that naloxone saved his son time and again. The Scottish Ambulance Service is doing great work to increase distribution of that tool on the front line.

However, I am also acutely aware that 60 per cent of those who died from drug deaths in Dundee died alone—they were using drugs alone and they died alone. We need to scale up pilots to ensure that, if someone presents to services with an overdose, we not only save their life but offer them treatment immediately. We know that more than half of those who die drug-related deaths have a history of overdose. We need to roll out, at pace, the task force's previous work on new standards of care and treatment so that there is equity of access across the country. I hear what Stuart McMillan said in that regard. We need a presumption of family involvement, and all individuals must have good treatment options. We need better treatments for poly-drug misuse and

benzodiazepine dependence, and we must ensure that prescribing practice is effective in keeping people alive. Ruth Maguire was quite correct to say that people should never feel punished for seeking help.

All the individuals on the task force, including those with lived experience, have given their time and talents to identify what we must do now. I am grateful to them. However, I say to members of the Scottish Parliament that the Scottish Government's strategy is bigger and broader than the specialist, focused work of the task force. We need to ensure that our own house is in order. We need to join the dots across Government, making all the correct connections through our good work on mental health, homelessness, adverse childhood experiences and the justice system, and of course through tackling poverty and inequality in our communities.

I agree with Neil Findlay that this is indeed a class issue, but I also agree that addiction can affect any family at any time, anywhere in the country. It is our job in the Government to lead, to have a razor-sharp focus on implementation and to work with others—whether it is health and social care bodies, alcohol and drug partnerships or the third sector—to ensure that funding reaches the front line. Also, we need to prevent unplanned discharges from treatment and to support people and follow up when that happens.

Our folk should never run out of chances for change. Sometimes, people need second chances, third chances or fourth chances. We need to stick with people over the long term. I am cognisant of the particular role that the third sector has to play, in genuine partnership with the statutory sector. It can be fleet of foot and responsive and help us with outreach services and reach those who are furthest away.

There is an urgent necessity to act to reduce harms now; I believe in the housing first approach model, but I also believe in the power of residential rehabilitation. The First Minister will make a statement next week laying out how we will achieve a step change in the short, medium and longer term. That will include a commitment to increase the provision of residential rehabilitation and bring our bed numbers up to the European average.

This is a new portfolio and I would never demur on the importance of resources. I have been clear, in discussions with the First Minister and the finance secretary, that the scale of work should not be underestimated. It will require significant investment over time to effect the change that we want.

I will very much follow the money, whether that is in relation to current or new resources, and I will

be constantly assessing the impact of that money. If we have to change how we provide funding, we will consider that, because Monica Lennon is right—there must be no wrong door when it comes to receiving support.

Our response to the global pandemic has demonstrated that rapid change is possible and there should be no returning to normal where new approaches to care and treatment within prison and within the community have worked.

Last week, I had the pleasure of meeting Peter Krykant and hearing directly about the work that he does in Glasgow. We discussed our shared desire for overdose prevention facilities to be made available in Scotland and I assured him that we would investigate any possible avenue that would allow for the operation of such facilities here. It is vital that we do not close the door to any evidence-based solution, but it is also important that any service that we offer is provided within a safe, legal framework for the sake of those who will use the service and those who work in that service.

However, there is not one solution—there are many. That is why having the courage to debate what works is crucial, because everything that we say and do must lead to better-informed debate that knocks down stigma and obstacles to change and leads to better outcomes for the people we seek to serve. We seek to serve those who have been underserved and to do so for their sake but also in memory of those who are gone but not forgotten.

**The Deputy Presiding Officer:** That concludes the members' business debate on Scotland's drug deaths crisis.

## Decision Time

16:29

**The Deputy Presiding Officer (Lewis Macdonald):** As has been indicated to members online, there are no questions to be put at decision time as a result of today's business. I therefore close the meeting.

*Meeting closed at 16:29.*

This is the final edition of the *Official Report* for this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

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